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NOTICE

The undermentioned Gazettes of India Extraordinary were published up to the 4th March 1964 :—

Issue No.	No. and Date	Issued by	Subject
54	S. O. 725, dated 25th February 1964.	Ministry of Steel, Mines and Heavy Engineering.	Schedule containing Base Prices and Extras.
55	S. O. 726, dated 26th February, 1964.	Ministry of Finance.	Amendments made in the Union Duties of Excise (Distribution) Act, 1962 (3 of 1962), the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957), the Estate Duty (Distribution) Act, 1962 (9 of 1962) and the Constitution (Distribution of Revenues) Order, 1962.
56	S. O. 727, dated 26th February, 1964.	Election Commission, India.	Declarations containing names of candidates elected to the Delhi Electoral College from constituencies referred to therein.
	S. O. 728, dated 26th February, 1964.	Do.	List of persons elected to Delhi Electoral College from various constituencies.
57	S. O. 729, dated 29th February, 1964.	Ministry of International Trade.	Amendment made in the Exports (Control) Order, 1962.
58	S. O. 730, dated 29th February, 1964.	Ministry of Steel, Mines and Heavy Engineering.	Directions re. procedure to be followed in connection with distribution of iron and steel.
59	S. O. 731, dated 29th February, 1964.	Do.	Schedules containing revised prices of articles mentioned therein.
	S. O. 732, dated 29th February, 1964.	Do.	Permission to acquire or dispose of all categories of iron and steel other than those specified in Schedule I annexed thereto.

Issue No.	No. and Date	Issued by	Subject
60	S. O. 733, dated 27th February, 1964.	Ministry of Information and Broadcasting.	Approval of Films specified therein.
61	S. O. 734, dated 29th February, 1964.	Ministry of Education.	Amendment made in the International Copyright Order, 1958.
62	S.O. 735, dated 2nd March, 1964.	Ministry of Law	Declaration containing name of candidate elected to fill vacancy in Council of States.
63	S. O. 736, dated 2nd March, 1964.	Cabinet Secretariat.	Amendments made in the Government of India (Allocation of Business) Rules, 1961.
64	S. O. 815, dated 3rd March, 1964.	Ministry of Steel, Mines and Heavy Engineering.	Amendments to Notification of the late Ministry of Mines & Fuel No. S. O. 1537 dated 1st June 1963.
65	S. O. 816, dated 4th March, 1964.	Ministry of Law	Calling upon members of Legislative Assemblies of States and members of Electoral Colleges of Union Territories to elect number of members specified therein to the Council of States.
66	S. O. 817, dated 4th March, 1964.	Election Commission, India.	Calling upon members of Legislative Assemblies of States and members of Electoral Colleges of Union Territories to elect number of members specified therein to the Council of States.
	S. O. 818, dated 4th March, 1964.	Do.	List of officers designated as Returning Officers and others appointed as Assistant Returning Officers in States specified therein in respect of biennial elections to Council of States.
	S. O. 819, dated 4th March, 1964.	Do.	Fixation of hours during which poll shall be taken at biennial elections to Council of States in States and Union Territories specified therein.
67	S. O. 820, dated 29th February, 1964.	Ministry of Education.	Amendment made in the International Copyright Order, 1958.
68	S. O. 821, dated 4th March, 1964.	Ministry of Finance.	Amendment to Notification No. S. O. 3325, dated 29th November, 1963.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 25th February 1964

S.O. 824.—It is hereby notified for general information that the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, incurred by the person whose name and address are given below, has been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section of the said Act:—

SCHEDULE

Name and address of the disqualified candidate	Serial No. and name of constituency	Commission's notification No. and date under which disqualified
1	2	3
Shri Ramdayal Singh, Pratap Press, Inderganj, Lashkar (Madhya Pradesh).	29-Rajgarh.	MP-P/29/62(19), dated 12th April, 1962.

[No. MP-P/29/62(19-R)/4389.]

By Order,

V. RAGHAVAN, Under Secy.

New Delhi, the 2nd March 1964

S.O. 825.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951, the Election Commission hereby directs that the following amendments shall be made in its notification No. 434/MT/61(1) dated the 1st January, 1962, namely:—

In column 2 of the Table appended to the said notification,—

- (i) the entry at Serial No. 3, against item 11, shall be deleted and Serial No. 4 shall be renumbered as Serial No. 3; and
- (ii) in the entries at Serial No. 2 against items 13 and 14, and at Serial Nos. 1 and 3 against item 15, for the word "Sub-Division" the word "Division" shall be substituted.

[No. 434/MT/63(1).]

S.O. 826.—In exercise of the powers conferred by sub-rule (1) of rule 5 of the Conduct of Elections Rules, 1961, the Election Commission hereby directs that the following further amendment shall be made in its notification No. 56/1/62 (S.O. 2939), dated the 22nd September, 1962, namely:—

In the Table appended to the said notification, to the entries in columns 2 and 3 against item No. 6 "Madhya Pradesh", the following entry shall be added.

"4. Socialist Tree."

[No. 56/2/63(SP).]

New Delhi, the 3rd March, 1964

S.O. 827.—In pursuance of section 111 of the Representation of the People Act, 1951, the Election Commission hereby publishes the report of the Election Tribunal, Gorakhpur, dated the 12th February, 1964, under the said section in Election Petition No. 214 of 1962.

BEFORE THE ELECTION TRIBUNAL, GORAKHPUR.

PRESENT: Shri R. K. Sircar, Member, Election Tribunal, GKP. Election Petition No. 214 of 1962.

Mahanth Dig Vijai Nath.—Petitioner.

V.

1. Shri Sinhasan Singh,
2. Smt. Kamla Sahai,
3. Shri Khare Lakshmi Shanker,
4. Shri Misra Chandra Sheikhar,
5. Shri Shahi Nageshwar,
6. Shri Ramakant Shukla and
7. Shri Sadiq Ali.—Respondents.

Judgment

This is an Election Petition under section 81 of the Representation of the People Act by Mahanth Dig Vijai Nath challenging the election of Shri Sinhasan Singh from 93-Gorakhpur Parliamentary Constituency.

Mahanth Dig Vijai Nath filed an application on 16th October, 1963, withdrawing his petition. The contesting respondent No. 1 had no objection to the withdrawal. Notice of the withdrawal under section 109(2) of the Representation of the People Act was published in the Official Gazette dated 26th October, 1963. No objection was filed and none contested the application. Therefore, leave to withdraw the petition was given to the petitioner. Therefore, notice under Section 110(3) (b) of the said Act was sent for publication in the Uttar Pradesh Gazette and the said notification was published in the Gazette dated January 25, 1964. More than 14 days have elapsed since this publication but none has applied for being substituted as a petitioner under Clause (c) of sub-section (3) of Section 110 of the Representation of the People Act.

ORDER

The application for withdrawal is granted. Costs shall be easy as the contesting respondent No. 1 does not press for his costs.

Let a report to this effect be made to the Election Commission as required under Section 111 of the Representation of the People Act.

Sd./- R. K. SIRCAR,
Member,
12-2-1964.

Dated, Gorakhpur, February 12, 1964.

Attested.

Sd/- Illegible,
Member,
Election Tribunal,
Gorakhpur.
[No. 82/214/62.]

New Delhi, the 4th March 1964

S.O. 828.—In continuation of the Commission's notification No. 82/42/62, dated the 4th July, 1963, the Election Commission hereby publishes for general information the judgment of the Supreme Court of India, delivered on the 12th February, 1964, in Civil Appeal No. 936 of 1963, filed by Shri Jagdev Singh Sidhanti against the judgment and order, dated the 31st May, 1963 of the Punjab High Court.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 936 OF 1963

(Appeal by Certificate from the Judgment and Order dated the 31st May 1963 of the Punjab High Court at Chandigarh in First Appeal from Order No. 2/E of 1963).

Sri Jagdev Singh Sidhanti s/o Shri Preet Singh—Appellant.

Versus

1. Shri Pratap Singh Daulta s/o Shri Man Singh.
2. Shri Rampat s/o Shri Lekhraj Chamar.
3. Shri V. N. Kaushik s/o Shri G. R. Kaushik.
4. Shri Jagan Nath s/o Shri Tehla Ram—*Respondents*.

With

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) No. 122 of 1963

With

CIVIL MISCELLANEOUS PETITION No. 2705 of 1963

(Application for condonation of delay in filing the Petition for Special Leave to Appeal).

(Petition under Article 136(1) of the Constitution of India for Special Leave to Appeal from the Judgment and Order dated the 31st May 1963 of the Punjab High Court at Chandigarh in First Appeal No. 2/E of 1963.)

Shri Jagdev Singh Sidhanti, s/o Shri Preet Singh—*Petitioner*.

Versus

1. Shri Pratap Singh Daulta s/o Shri Man Singh.
2. Shri Rampat s/o Shri Lekhraj Chamar.
3. Shri V. N. Kaushik s/o Shri G. R. Kaushik.
4. Shri Jagan Nath s/o Shri Tehla Ram—*Respondents*.

12th February, 1964.

Coram:

Hon'ble the Chief Justice.

Hon'ble Mr. Justice K. N. Wanchoo.

Hon'ble Mr. Justice K. C. Das Gupta.

Hon'ble Mr. Justice J. C. Shah.

Hon'ble Mr. Justice N. Rajagopala Ayyangar.

For the Appellant/Petitioner.—Mr. Purshottam Tricumdas, Senior Advocate (M/s. Rajinder Nath Mittal, R. B. Datar, V. Kumar, B. P. Singh and Naunit Lal Advocates, with him).

For Respondent No. 1.—Mr. G.S. Pathak, Senior Advocate (M/s. Bawa Shiv Charan Singh, Hardev Singh, Rajendra Dhawan, Dr. Anand Prakash and Y. Kumar, Advocates, with him).

THE APPEAL as well as the Petition for Special Leave to Appeal above-mentioned being called on for hearing before this Court on the 16th, 17th and 20th days of January 1964 UPON hearing Counsel for the parties the Court took time to consider its Judgment and the said Appeal being called on for Judgment on the 12th day of February 1964 THIS COURT in allowing the Appeal DOTH ORDER (1) THAT the Judgment and Order dated the 31st May 1963 of the Punjab High Court at Chandigarh in First Appeal from Order No. 2/E of 1963 be and is hereby set aside and in place thereof the order, dated the 20th December 1962 of the Election Tribunal (I) Chandigarh in Election Petition No. 42 of 1962 be and is hereby restored (2) THAT the Respondent No. 1 herein DO pay to the Appellant herein the costs of this appeal incurred in this court and the costs thereof incurred in the Punjab High Court as well as the costs of the First Appeal from Order No. 2/E of 1963 incurred by the Appellant in the Punjab High Court (3) THAT the costs of the Appeal incurred by the Appellant in this Court be taxed by the Taxing Officer of this Court AND THIS COURT DOTH LASTLY ORDER that this ORDER be punctually observed and carried into execution by all concerned.

WITNES\$ the Hon'ble Mr. Pralhad Balacharya Gajendragadkar, Chief Justice of India at the Supreme Court, New Delhi the 12th day of February, 1964.

DEPUTY REGISTRAR.

SUPREME COURT

Civil Appellate Jurisdiction

Civil Appeal No. 936 of 1963

Shri Jagdev Singh Sidhanti—Appellant.

Versus

S. Pratap Singh Daulta and others—Respondents.

With

SPECIAL LEAVE PETITION No. 1232 OF 1963

High Court First Appeal from Order No. 2/E of 1963

ORDER ALLOWING THE APPEAL WITH COSTS.

Dated the 12th day of February 1964

Shri Naunit Lal, Advocate for the Appellant.

M/s. Harkums & Co., Advocate for Respondent No. 1.

IN THE SUPREME COURT OF INDIA

Civil Appellate Jurisdiction

Civil Appeal No. 936 of 1963

Shri Jagdev Singh Sidhanti—Appellant.

Versus

S. Pratap Singh Daulta and others—Respondents.

Judgment

SHAH J.

At the general elections held in February 1962 five candidates contested the election to the House of the People from the Jhajjar Parliamentary constituency. On February 27, 1962 the appellant Jagdev Singh Sidhanti was declared elected. Pratap Singh Daulta who was one of the candidates at the election then filed a petition with the Election Commission praying, *inter alia*, that the election of the appellant be declared void on the ground that the appellant—Sidhanti—his agents, and other persons with his consent, had committed certain corrupt practices in connection with the election. Daulta stated that the appellant Sidhanti was set up as a candidate to contest the election by the Haryana Lok Samiti, that the appellant and six other persons—Piare Lal Bhajnik, Ch. Badlu Ram, Pt. Budh Dev, Prof. Sher Singh, Mahashe Bharat Singh and Acharya Bhagvan Dev who were leaders and active workers of the Gurukul Section of the Arya Samaj had organised a political movement called "the Hindi agitation" in 1957 the real object of which was to promote feelings of enmity and hatred between the Sikh and the Hindu communities in the State of Punjab "on the ground of religion and language" to promote their prospects in the general elections to be held in 1962, and for that purpose they held meetings in the Haryana region of the Punjab and appealed to the electorate to vote for Sidhanti "on the ground of his religion and language", and used a religious symbol—a flag called "Om Dhvaj"—in all these meetings, that the appellant himself made similar appeals to the electorate and appealed to them to refrain from voting for Daulta who was a sitting member of the House of the People from the constituency stating that he—Daulta—was an enemy of the Arya Samaj and of the Hindi language, that during the election campaign fifteen meetings were held between December 10, 1961 and February 18, 1962 and at all these meetings appeals were made to the electorate on the ground of religion and language of Sidhanti, and attempts were made to promote feelings of enmity and hatred between Sikhs and Hindus of the Punjab. Allegations about undue influence on the voters in the exercise of their free electoral right were also made in the petition, and details of these alleged corrupt practices were furnished in the schedule annexed to the petition.

Sidhanti denied that the six persons who were named as his agents and supporters ever acted as his agents in his election campaign and submitted that they were merely interested in the success of the candidates set up by the Haryana

Lok Samiti and acted throughout "on their own and not as his agents". He also submitted that the Hariana Lok Samiti had no connection with the Arya Samaj, it being a political organization started by Prof. Sher Singh who was an important political leader in the Hariana region. Sidhanti admitted that he had participated in the meetings to canvass votes, but claimed that he was not responsible for convening the meetings or for the speeches made by others in those meetings; that the Om flag was not a religious symbol and denied that it was used on any occasion by him or his agents or the six persons named by Daulta in his petition, except Bhagwan Dev who was accustomed "throughout his career" to carry a pennant with "Om" and his own name inscribed thereon on his motor vehicle, but carrying of such a flag or pennant on Bhagwan Dev's vehicle during the election was not with his (Sidhanti's) consent and that it did not amount to commission of a corrupt practice as defined in the Act, that the residents of Hariana area were mainly Hindi-speaking, but the Government of Punjab had made Punjabi language in Gurmukhi script a compulsory subject at various levels of school education and this gave rise to a wide-spread agitation against the policy of the Government, that to resist the implementation of the policy and the programme of the Government in the administrative, economic and development spheres and to mitigate the hardships of the residents of the Hariana region and to secure redress of their grievances the Hariana Lok Samiti was formed, and an appeal to the electorate to secure a reversal of the policies and programme of the Government was not, it was submitted, an appeal on the ground of language or religion and did not amount to a corrupt practice within the meaning of section 123 of the Representation of the People Act, 1951.

The Tribunal held, *inter alia*, that the "Om Flag" was not a "religious symbol" of the Arya Samaj, that no satisfactory proof was adduced that Om Flag had been used as a symbol of Arya Samaj or that an appeal to secure votes with the aid of the flag was made to the electorate by Sidhanti or by any one else with his consent, that there was no satisfactory evidence to establish that appeals were made to the electorate to vote for Sidhanti or to refrain from voting for the other candidates on the ground of religion or language, and that the applicant Daulta failed to prove that an appeal on the ground of caste, community or religion or language had been made to the electorate to further the prospects of Sidhanti or to prejudicially affect the election of the other candidates. On these, and findings recorded on other issues not material in this appeal, the petition filed by Daulta was dismissed by the Election Tribunal.

Daulta preferred an appeal against that order to the High Court of Judicature for Punjab. The High Court held that the word "Om" is a religious symbol of the Hindus in general and of the Hindus belonging to the section known as Arya Samaj in particular and that the flag bearing the inscription "Om" is a religious symbol, that "Om Dhvaj" was flown during the election campaign on the election offices of the Hariana Lok Samiti especially at Sampla and Rohtak, that the Samiti office was used by Sidhanti for his election campaign, that Hariana Lok Samiti was generally using the "Om Dhvaj" to further the prospects of its candidates, that out of the agents and supporters of Sidhanti "Bharat Singh at least once and Bhagwan Dev invariably used" the Om flag on their vehicles while attending the meetings convened by the Hariana Lok Samiti in furtherance of the election campaign of Sidhanti, that the Om flag was flying "on the *pandal* of the meeting" held at Majra Dubaldhan on January 19, 1962 when Sidhanti and his agents and supporters delivered speeches in support of the election campaign and that at the meeting held at Rohtak town, Piare Lal Bhajnik sang a song in the presence of Sidhanti, the purport of which was that the honour of the Om flag should be upheld, that Bhagwan Dev was using the Om flag with the consent of Sidhanti and that Piare Lal Bhajnik at the Rohtak town meeting also sang the song in honour of the Om flag with the consent of Sidhanti. The High Court further held that the appellant had delivered speeches at Majra Dubaldhan in the *pandal* on which the Om flag was flying, that as even an isolated act of the use of or appeal to the Om flag may constitute a corrupt practice under s. 123(3) that corrupt practice by Sidhanti and his agents and by his supporters with his consent was established. The High Court also held that Sidhanti had appealed for votes on the ground of his language and had asked the electorate to refrain from voting for Daulta on the ground of the language of the latter, and such appeals constituted a corrupt practice. The High Court accordingly allowed the appeal and declared the election of Sidhanti void under s. 100(1) (b) of the Act. Against the order this appeal is preferred with certificate granted by the High Court.

Two principal questions which survive for determination in this appeal are:

- (1) Whether a religious symbol was used in the course of election by the appellant, his agents or other persons with his consent in furtherance of the prospects of his election; and

- (2) Whether appeals were made to the electorate by Sidhanti, his agents or other persons with his consent to vote in his favour on account of his language and to refrain from voting in favour of Daulta on the ground of his language.

In order to appreciate the plea raised by counsel for the parties and their bearing on the evidence it may be useful to refer to the political background in the Haryana region, and the constituency in particular, in which corrupt practices are alleged to have been committed. The territory of the State of Punjab is divided into two regions—the 'Hindi-speaking region' and 'the Punjabi-speaking region'. The Hindi-speaking region is very largely populated by Hindus, while in the Punjabi-speaking region the population is approximately equally divided between the Hindus and Sikhs. In the Punjab before the partition, Urdu and English were the two official languages. After the partition a controversy about the official language arose. The Government of Punjab decided to replace Urdu and English by Hindi in the Hindi-speaking region and Punjabi in the Punjabi-speaking region, and for that purpose a scheme called the 'Sachar formula' was devised, the salient feature of which was that every student reading in the Punjab schools, by the time he passed his matriculation examination should be proficient both in Hindi and Punjabi. Under the scheme two Regional Committees were formed—one known as the Hindi Regional Committee and the other the Punjabi Regional Committee. The function of the Committees was to advise the local Government in matters of finance and other related matters. There was great resentment against the formation of the Regional Committees and the implementation of the Sachar formula which resulted in the launching of a movement called "the Hindi agitation." The agitation against the language policy of the Government gained strength and there was a great mass movement in 1957 in the entire State of Punjab. In the last week of December 1957 there was a settlement between the organisers of the movement and the State Government and the movement was called off. It appears that some of the leading figures in this agitation attempted to make political capital out of this movement and set themselves up as probable candidates for the next election.

In the Arya Samaj in the Punjab there are two major sections, one called the 'Gurukul Section' and the other called the 'College Section'. The Gurukul Section is again divided into the Haryana Section and the Mahashe Krishna Section. It is the case of Daulta that it is the Gurukul Section of the Arya Samaj relying upon the religious and linguistic differences which sought to make at the time of the election appeals to religion and use of religious symbols. As we have already observed, Daulta challenged the election on the ground that Sidhanti, his election and other agents committed many corrupt practices. Before the Tribunal he restricted his case to the corrupt practices falling within cls. (2), (3) & (3A) of s. 123 of the Representation of the People Act, 1951. His plea of undue influence falling within cl. (2) failed before the Tribunal and also before the High Court, and it has not been relied upon before us. Similarly his plea that Sidhanti, his election and other agents had promoted or attempted to promote, feelings of enmity or hatred between different classes of citizens of India on grounds of religion, race, caste, community, or language was negatived by the Tribunal and also by the High Court and that plea also does not fall to be determined by us. Daulta had also alleged that appeals were made by Sidhanti and his election and other agents, to the electorate to vote for him or refrain from voting for Daulta on the ground of his—Sidhanti's—religion and language and that Sidhanti and his agents used and appealed to religious symbols such as the Om flag for the furtherance of the prospects of the election of Sidhanti and for prejudicially affecting the election of Daulta. It is on this last question about the use of and appeal to religious symbols and appeal to the language of the two candidates for the furtherance of the prospects of the election of Sidhanti that the Tribunal and the High Court have different.

It may be useful to refer to the relevant provisions of the Act, before dealing with the matters in dispute. Section 100(1) sets out the grounds on which an election may be declared void. In so far as that section is material in the present appeal, it provides:

"Subject to the provisions of sub-section (2) if the Tribunal is of opinion—

- (a) * * * * *
- (b) that any corrupt practice has been committed by a returned candidate or his election agent or by any other person with the consent of a returned candidate or his election agent;
- (c) * * * * *
- (d) * * * * *

the Tribunal shall declare the election of the returned candidate to be void."

By sub-section (2) if in the opinion of the Tribunal a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice but the Tribunal is satisfied—

(a) that no such corrupt practice was committed at the election by the candidate or his election agent, and every such corrupt practice was committed contrary to the orders and without the consent of the candidate or his election agent;

(b) * * * * *

(c) that the candidate and his election agent took all reasonable means for preventing the commission of corrupt practice at the election; and

(d) that in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agent,

the Tribunal may decide that the election of the returned candidate is not void. Section 123 sets out what shall be deemed to be corrupt practices for the purpose of the Act. Clause (3) as amended by Act 40 of 1961, which alone is material in this appeal, provides:

"The appeal by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to, religious symbols, such as the national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate."

The clause falls into two parts (i) an appeal by a candidate, his agents or by other persons with the consent of the candidate or his election agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language; and (ii) use of or appeal to religious symbols, national symbols or national emblems for the furtherance of the prospects of the election of the candidate or for prejudicially affecting the election of any candidate. The first part in terms makes it a condition that the appeal is made by a candidate or his agent or any other person with the consent of the candidate or his agent. There is no reference in the second part to the person by whom the use, of, or appeal to, the religious or the national symbols, such as the national flag or the national emblem may be made, if such use of or appeal to them has been made to further the prospects of the election of the candidate or to prejudicially affect the election of any candidate. But it is implicit in section 123(3), having regard to the terms of section 100, that the use of or appeal to the national or religious symbols must be made by the candidate or his election agent or by some other person with the consent of the candidate or his election agent, before it can be regarded as a ground for declaring the election void. If the evidence on the record fails to establish the responsibility for the use of or appeal to the religious or national symbols by the returned candidate or by his election agent or by any other person with his consent or his election agent, no ground for setting aside the election may be deemed to be made out.

The first question to which we must then turn is, whether the "Om flag" can be regarded as a "religious symbol" within the meaning of section 123(3). This question has to be examined in two branches—(i) whether the word "Om" has any special religious significance, and, (ii) whether the use of "Om" on a flag or pennant makes it a religious symbol. If the respondent Daulta establishes that the "Om flag" is a religious symbol, the question will arise whether the use of or appeal to the Om flag was made in the election campaign for furtherance of his prospects by Sidhanti or by his agents or other persons with his consent or the consent of his election agent.

The expression "Om" is respected by the Hindus generally and has a special significance in the Hindu scriptures. It is recited at the commencement of the recitations of Hindu religious works. Macdonell in his "A practical Sanskrit Dictionary" states that "Om" is the sacred syllable used in invocations, at the commencement of prayers, at the beginning and the end of Vedic recitation, and as a respectful salutation: it is a subject of many mystical speculations. In the Sanskrit-English Dictionary by Monier-William it is said that "Om" is a sacred exclamation which may be uttered at the beginning and end of a reading of the Vedas or previously to any prayer: it is also regarded as a particle of auspicious salutations. But it is difficult to regard "Om" which is a preliminary to an incantation or to religious books, as having religious significance. "Om" it may be admitted is regarded as having high spiritual or mystical efficacy: it is used at the commencement of the recitations of religious

prayers. But the attribute of spiritual significance will not necessarily impart to its use on a flag the character of a religious symbol in the context in which the expression religious symbol occurs in the section with which we are concerned. A symbol stands for or represents something material or abstract. In order to be a religious symbol, there must be a visible representation of a thing or concept which is religious. To 'Om' high spiritual or mystical efficacy is undoubtedly ascribed; but its use on a flag does not symbolise religion, or anything religious.

It is not easy therefore to see how the Om flag which merely is a pennant on which is printed the word 'Om' can be called a religious symbol. But assuming that the Om flag may be regarded as a religious symbol, the evidence on the record is not sufficient to establish that by Sidhanti, his election agents or any other person with his consent or the consent of his election agent, Om flag was used or exhibited, or an appeal was made by the use of the Om flag to further the prospects of Sidhanti at the election.

It may be remembered that in the trial of an election petition, the burden of proving that the election of a successful candidate is liable to be set aside on the plea that he was responsible directly or through his agents for corrupt practices at the election, lies heavily upon the applicant to establish his case, and unless it is established in both its branches i.e., the commission of acts which the law regards as corrupt, and the responsibility of the successful candidate directly or through his agents or with his consent for its practice not by mere preponderance of probability, but by cogent and reliable evidence beyond any reasonable doubt, the petition must fail. The evidence may be examined bearing this approach to the evidence in mind.

Between the months of December 10, 1961 and February 18, 1962, fourteen meetings were held in the constituency as a part of the election campaign of Sidhanti. These meetings were held at Beri, Barhana, Dighal, Akheri Madanpur, Sampla, Ladpur, Majra Dubaldhan, Pakasma Assaudha, Jhajjar, Badli, Dulehra, Sisana and Bahadurgarh. There was, it is claimed by the applicant, one more meeting on February 4, 1962, at Rohtak town which is outside the Jhajjar constituency. The Tribunal held that the evidence was not sufficient to prove that in the meetings at Beri, Barhana, Dighal, Sampla, Ladpur, Pakasma, Assaudha, Jhajjar, Badli, Dulehra, Sisana and Bahadurgarh 'Om' flag was exhibited in furtherance of the election prospects of Sidhanti and with that view the High Court has agreed. The Tribunal also held that there was no reliable evidence that at Majra Dubaldhan on January 19, 1962, and at Rohtak town on February 4, 1962, 'Om' flag was used as a religious symbol. On this part of the case, however, the High Court disagreed with the Tribunal. Rohtak town was not, but Rohtak suburban area was, within the constituency in which Daulta and Sidhanti were contesting the election. Therefore the only meeting which took place within the constituency where Sidhanti and Daulta contested the election in which according to the High Court the Om flag was used was at Majra Dubaldhan held on January 19, 1962. Six witnesses directly spoke about the details of that meeting, beside Sidhanti. Sidhanti said generally that the evidence given by the witnesses for Daulta regarding what transpired at Majra Dubaldhan and three other meetings was not true. The witnesses for Daulta were Roop Ram, Sukhi Ram and Ramdhari Balmiki. The witnesses who supported the case of the appellant were Piaré Lal, Prof. Sher Singh and Jug Lal. It may be observed that the High Court placed no reliance upon the testimony of Ramdhari Balmiki and no arguments have been advanced before us suggesting that his testimony was reliable. Roop Ram—a police constable—has deposed that about mid-day on January 19, 1962, a meeting was held at Majra Dubaldhan and that at that meeting Piaré Lal sang a *bhajan* about the Om flag and he saw the Om flag flying on the *Pandal* of the meeting which was attended by four to five thousand persons. According to the witness Nanhu Ram, Badlu Ram, Jagdev Singh Sidhanti, Bhagwan Dev, Ramdhari Balmiki, Attar Singh, Prof. Sher Singh and Acharya Bhagwan Dev made speeches, that Acharya Bhagwan Dev in the course of his speech asked people not to vote for Daulta but to vote for candidate who was seeking election on the Haryana Lok Samiti ticket. In cross-examination he admitted that he had been supplied with a copy of the report which he had made to the D.I.G., C.I.D., Chandigarh, and that he had gone through the report two or three times, before he gave evidence. The tribunal refused to place reliance upon the testimony of this witness and of another police constable Ganesh Dass who claimed to have remained present in the various political meetings. It appears that the witness had memorised the so-called reports and the same were not made available to counsel for Sidhanti to challenge the truth of the statements made by the witnesses. The High Court has not given any adequate reasons for accepting the testimony of the witness, when the Tribunal which had opportunity of seeing the witness and noting his demeanour had refused to accept the testimony.

Sukhi Ram deposed that he was a *sarpanch* of Dubaldhan Panchayat for about two years, and that he was present at the meeting convened by the Haryana Lok Samiti on January 19, 1962, for canvassing votes for the candidates of Haryana Lok Samiti, that Prof. Sher Singh and Sidhanti came in a jeep on which there was flying a flag with 'Om' inscribed thereon, that he saw several other vehicles flying the Om flag and that the vehicle in which he went to the meeting also was carrying the Om flag. The Tribunal was of the view that the facts elicited in the cross-examination of this witness disclosed that his recollection about other meetings which he had attended was poor, whereas his recollection about the meeting held at Majra Dubaldhan was very clear, and that the reasons given by the witness for specially remembering the details of the proceedings of the meeting in Majra Dubaldhan and not of other meetings could not be accepted. In the view of the Tribunal the witness was interested in Daulta, and this inference was supported by the fact that Daulta had sent him a copy of his election petition before it was even presented to the Election Commission. It also appears that the evidence given by this witness was inconsistent with the summary of the meeting given in Schedule 'D' to the petition and for this reason according to the Tribunal the testimony of the witness "did not carry conviction" and "it was not sage to rely upon it". The High Court after summarising the effect of the evidence observed that it did not appear from the deposition given by the witness that he was in any manner interested in Daulta. In so observing the High Court appears unfortunately to have lost sight of the grounds given by the Tribunal.

Witness Piare Lal stated that he was present at the meeting held at Majra Dubaldhan and that none of the speakers suggested that the electors should vote on the ground of caste, creed, religion or language. He also stated that at none of the meeting there was any Om flag either inside or outside the *pandal* of the meetings. Prof. Sher Singh who was another witness examined on behalf of Sidhanti deposed that slogans shouted in the meetings were political slogans and that he did not see Om flags in any *pandal* of the meetings, and that he had instructed all the candidates and the members of the Haryana Lok Samiti not to use any flag or symbol other than the symbol allotted to them. Jug Lal another witness examined on behalf of Sidhanti stated that at the meeting of Majra Dubaldhan on January 19, 1962, there were no Om flags to be seen anywhere either inside or outside the meeting and that there was no Om flags flying on any of the vehicles. The testimony of the witnesses Piare Lal, Prof. Sher Singh and Jug Lal was discarded by the High Court, because in their view the witnesses were interested in Sidhanti. Even if this view about the evidence of these three witnesses is accepted, the evidence led on behalf of Daulta of witnesses Sukhi Ram, Ramdhari Balmiki is wholly unreliable and the testimony of police constable Roop Ram is also not such that implicit reliance can be placed upon it. We are unable, therefore, to agree with the High Court in the conclusion it has reached that it had been proved satisfactorily that Om flag was flown at Majra Dubaldhan where Sidhanti and other speakers delivered speeches in furtherance of the election campaign.

The only other meeting at which it is found by the High Court that the Om flag was used is the meeting at Rohtak town on February 4, 1962, which, town, it is common ground, is not within the Jhajjar parliamentary constituency from which Sidhanti and Daulta were contesting the election. It is, however, said that Rohtak suburban area is within the Jhajjar parliamentary constituency and as there is a grain market in Rohtak town and a large number of voters from the Jhajjar constituency assembly in that town a meeting was held by Sidhanti in which Om flags were exhibited. The witnesses in support of the case of Daulta are Ram Nath Sapra, Dafedar Singh, K. K. Katyal and Satyavrat Bedi. The principal witnesses who were examined by Sidhanti in respect of this meeting were Piare Lal, Bharat Singh, Budh Dev, Prof. Sher Singh and Bhagwan Dev.

Ram Nath Sapra who is a correspondent of several newspapers deposed that he had attended the meeting at Rohtak town at Anaj Mandi 10 or 12 days before the actual polling. According to the witness there was a big procession taken out before the meeting which carried flags wither of the symbol of the 'Rising Sun' or of 'Om', that he had made reports about the proceedings of the Rohtak meeting and had sent the report of the same to all the five papers of which he was the correspondent. The Tribunal was of the view that the testimony of the witness was unreliable, because he did not remember the details of any other meeting convened by the other parties, and that he could not speak about the names of the speakers who took part in the meeting convened by the Haryana Lok Samiti. The testimony of the witness therefore was "far from convincing" and the testimony of Sidhanti, Piare Lal, Bharat Singh, Budh Dev, Prof. Sher Singh and Bhagwan Dev was more reliable. In coming to the conclusion that the evidence of the witness was unreliable the Tribunal referred to the details given.

in Sch. 'D' annexed to the petition under the heading 'Summary of the meetings' and observed that the summary was at "complete variance" with the testimony of the witness. The High Court was of the view that the witness Ram Nath Sapra was "wholly disinterested" and therefore his evidence must be accepted. The High Court did not refer to the infirmities disclosed in the testimony of the witness, particularly the discrepancies between the statement of Daulta in his petition and the testimony given by this witness.

Witness Dafedar Singh who is a police constable said that he had been deputed to report about the proceedings of the meeting. His version is also different from the version as given in Schedule 'D' annexed to the petition. The High Court has not referred to the testimony of this witness in support of its conclusion and nothing more need be said about him.

K. K. Katyal said that he had attended the meeting at Rohtak town as a special correspondent of the 'Hindustan Times', Delhi and that he recollected that flags with a symbol of 'Om' inscribed thereon were seen flying on some vehicles but it was not possible for him to say who owned those vehicles, but from the flags and placards carried on the vehicles it appeared that they were of the Haryana Lok Samiti. He also deposed that he had gone to the office of the Haryana Lok Samiti at Rohtak and saw a similar flag flying on the building of the office. He admitted in cross-examination that he did not visit any office of the Haryana Lok Samiti either at Bahadurgarh or at Sampla as all his attention was confined to the central office of the Haryana Lok Samiti at Rohtak. He also stated that he had seen some shopkeepers in Sampla and Bahadurgarh flying Om flags on their stalls. In the view of the Tribunal the testimony of this witness was vague and no reliance could be placed thereon. While generally agreeing with this view, the High Court observed that the testimony of the witness Katyal that the Om flag was flying at the office of the Haryana Lok Samiti at Rohtak which was the headquarters office and in the procession which was led by Bharat Singh a number of Om flags were seen may be accepted.

Satyavrat Bedi who is a staff correspondent of the Indian Express stated that during his survey of the election campaign he visited Sampla, Bahadurgarh and Rohtak in one day and made his report about his observations to the newspaper Indian Express, in which he had recorded that "religious symbols" and "religion" were being frequently used for damaging the chances of success of Daulta, that he had seen a large number of flags fluttering on many house tops, that the flag on the office of the Haryana Lok Samiti was that of Om and the other organisations had their own flags, that he saw the Om flag fluttering on the office of Sidhanti at Sampla but he did not remember whether there was any flag of 'Om' at his election office at Bahadurgarh. The Tribunal declined to accept this testimony. The High Court took a different view and observed that apart from any other infirmity regarding the use of the reports made by the witness, the statement made by him about his observation that he had seen the Om flag flying on the office of the Haryana Lok Samiti and on the motor-vehicle of Bharat Singh could not be ruled out. It must be remembered however that we are concerned at this stage with the question whether in the meeting at Rohtak on February 4, 1962, Om flags were exhibited. On that part of the case the evidence of Satyavrat Bedi is not of much use.

Sri Ram Sharma was a candidate for election on behalf of a political party called "the Haryana Front". He deposed that he had never attended any procession or meeting organised by the Haryana Lok Samiti but he had seen the motor-vehicles employed by the Haryana Lok Samiti carrying Om flags which were used by the candidates of the Haryana Lok Samiti. He stated that he contributed a number of articles to Haryana Tilak, Rohtak, founded by him in which he had published on January 4, 1962 an article condemning the use of the Om flag for the purpose of elections. The article published on January 4, 1962, can have no bearing on the use of the flag at Rohtak in the meeting dated February 4, 1962. The High Court did not place any reliance upon the testimony of this witness.

This is all the evidence on behalf of Daulta to which our attention was invited by counsel for the parties that at the meeting at Rohtak on February 4, 1962, Om flags were exhibited and appeals were made to the flag as a religious symbol. Apart from the general infirmity of the testimony, the Tribunal refused to accept the evidence of the witnesses on the ground that their statements considerably departed from the summary given in Schedule 'D' by the petitioner Daulta himself. In view of this inconsistency between the evidence given in Court and the allegations made by the applicant Daulta in the petition, it would be difficult, after discarding the evidence with regard to a very large number of meetings, to hold that in the meeting at Majra Dubaldhan which was within the constituency and in the meeting at Rohtak town which was outside the constituency, Om flags were

displayed or appeals were made in the name of the Om flag to further the prospects of the election of Sidhanti. We are, therefore, unable to agree with the conclusion of the High Court that the Om flag was used for election purposes at the time when election speeches were delivered by Sidhanti at Majra Dubaldhan or Rohtak town or that the Om flag was used on the *pandals* at those meetings.

Two other matters which have a bearing on the use of the Om flag in the course of the election campaign by Sidhanti, and on which the High Court has relied may be referred to. The High Court has found that Sidhanti used the office of the Haryana Lok Samiti at Rohtak town as his election office, but on this part of the case our attention has not been invited to any definite evidence which directly supports this conclusion. The High Court merely observed that it was common ground that Sidhanti did not have any office of his own at Rohtak, and inferred from that circumstance that Sidhanti was using the office of the Haryana Lok Samiti for the election campaign. But the inference is in the face of the evidence not justifiable, especially when Rohtak town was not within the constituency.

It was conceded by Sidhanti that Bhagwan Dev Sharma an Arya Samaj leader had been accustomed for many years past to carry on his motor-vehicle a pennant bearing the Om marks and his name. Witness Bhagwan Dev Sharma stated that he had attended the meetings of the Haryana Lok Samiti and had addressed them because he agreed with their ideology and thought that the institution was for the benefit of the Hindu religion, that he had never been asked to remove the Om flag from his jeep when he reached those meetings and that he had not attended those meetings either on account of Prof. Sher Singh or Sidhanti but "in his independent capacity as a citizen of India having a right to vote", and that he approved of the candidature of Sidhanti in preference to that of his opponent. But if the witness was accustomed to use a pennant with Om mark on it for many years past, in the absence of clear evidence to show that he was an agent of Sidhanti or that he acted with the consent of Sidhanti and made an appeal flag, it would be difficult to hold from the circumstance that during the days of the election campaign the witness did not remove the flag from the motor vehicle, that Sidhanti made an appeal to the electorate by using a religious symbol to further his prospects at the election. The evidence about the user of the Om flag by Bharat Singh when he is alleged to have taken out a procession does not appear to be reliable.

On a careful survey of the testimony of the witnesses we are unable to agree with the conclusions recorded by the High Court that:

- (a) Sidhanti "had used an office of the Haryana Lok Samiti on which the "Om flag" was flying for election purposes and further that he gave election speeches at a *pandal* where the Om flag was fluttering in furtherance of his prospects at the election—";
- (b) "the agents and supporters delivered speeches about the "Om flag" at the meeting held at Majra Dubaldhan on January 19, 1962, that Piara Lal Bahjnik sang a song, the purport of which was that the honour of the Om flag should be upheld"; and
- (c) "the Haryana Lok Samiti, the party to which Sidhanti belonged, was using the Om flag for the purpose of election campaign",

and thereby committed corrupt practices. It is true that the use of the Om flag by Bhagwan Dev on his conveyance is admitted but that again is for reasons already set out not sufficient to enable the Court to hold that it was for the purpose of furthering the prospects of election of Sidhanti.

In considering whether appeals were made to the electorate to vote for Sidhanti on the ground of his language or to refrain from voting for Daulta on the ground of Daulta's language, it is necessary in the first instance to ascertain the true meaning of the expression "on the ground of his language". By section 123(3) which was introduced for the first time in its present form by Act 40 of 1961, appeal by a candidate or his agent to vote or refrain from voting for a person on the ground of language is made a corrupt practice. This clause must be read in the light of the fundamental right which is guaranteed by Article 29(1) of the Constitution, for in ascertaining the true meaning of the corrupt practice, the area of the fundamental right of citizen must be steadily kept in view. The clause cannot be so read as trespassing upon that fundamental right. Article 29(1) provides:

"Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same".

The Constitution has thereby conferred the right, among others, to conserve their language upon the citizens of India. Right to conserve the language of the citizens includes the right to agitate for the protection of the language. Political agitation for conservation of the language of a section of the citizens cannot therefore be regarded as a corrupt practice within the meaning of section 123(3) of the Representation of the People Act. That is clear from the phraseology used in section 123(3) which appears to have been deliberately and carefully chosen. Unlike Article 19(1), Article 29(1) is not subject to any reasonable restrictions. The right conferred upon the section of the citizens residing in the territory of India or any part thereof to conserve their language, script or culture is made by the Constitution absolute and therefore the decision of this Court in *Jumuna Prasad Mukhariya and others v. Lachhi Ram and others* ⁽¹⁾ on which reliance was placed by the High Court is not of much use. In that case sections 123(3) and 124(5) of the Representation of the People Act as they then stood were challenged as infringing the fundamental freedom under Article 19(1)(a) of the Constitution, and the Court in negating the contention held that the provisions of the Representation of the People Act did not stop a man from speaking; they merely prescribed conditions which must be observed if a candidate wanted to enter Parliament. The right to stand for an election is, it was observed, a special right created by statute and can only be exercised on the conditions laid down by the statute, and if a person wants to stand for an election he must observe the rules. These observations have no relevance to the protection of the fundamental right to conserve language. The corrupt practice defined by clause (3) of section 123 is committed when an appeal is made either to vote or refrain from voting on the ground of a candidate's language. It is the appeal to the electorate on a ground personal to the candidate relating to his language which attracts the ban of section 100 read with section 123(3). Therefore it is only when the electors are asked to vote or not to vote because of the particular language of the candidate that a corrupt practice may be deemed to be committed. Where however for conservation of language of the electorate appeals are made to the electorate and promises are given that steps would be taken to conserve that language, it will not amount to a corrupt practice.

It is in the light of these principles, the correctness of the findings of the High Court that Sidhanti was guilty of the corrupt practice of appealing for votes on the ground of his language and of asking the voters to refrain from voting for Daulta on the ground of the language of Daulta may be examined. The petition filed by Daulta on this part of the case was vague. In paragraph 11 of his petition it was averred that Sidhanti and his agents made a systematic appeal to the audience to vote for Sidhanti and refrain from voting for Daulta "on the ground of religion and language", and in paragraph 12 it was averred that in the public meetings held to further the prospects of Sidhanti in the election, Sidhanti and his agents had made systematic appeals to the electorate to vote for him and refrain from voting for Daulta "on the ground of his religion and language". A bare perusal of the particulars of the corrupt practice so set out in paragraphs 11 and 12 are to be found in Schs. 'C' and 'D' clearly shows that it was the case of Daulta that Sidhanti had said that if the electorate wanted to protect their language they should vote for the Haryana Lok Samiti candidate. Similar exhortations are said to have been made by the other speakers at the various meetings. It is stated in Sch. 'D' that resolutions were passed at the meetings urging upon the Government to "abolish Punjabi from Haryana", that many speakers said that the Haryana Lok Samiti will fight for Hindi for Haryana and that they were opposed to the teaching of Punjabi in Haryana. These exhortations to the electorate to induce the Government to change their language policy or that a political party will agitate for the protection of the language spoken by the residents of the Haryana area do not fall within the corrupt practices of appealing for votes on the ground of language of the candidate or to refrain from voting on the ground of language of the contesting candidate.

Speeches made at political meetings held for canvassing votes must be examined in the context of the atmosphere of a political campaign and the passions which are generally aroused in such a campaign. In adjudging whether an appeal is made to the language of the candidate, a meticulous examination of the text of the speech in the screen atmosphere of the Court room picking out a word here and a phrase there to make out an offending appeal to vote for or against a candidate on the ground of language would not be permissible. A general and overall picture of the speeches delivered by Sidhanti and other speakers at the meeting disclosed nothing more than a tale of political promises, exhortations and inducements to vote at the forthcoming election for Sidhanti.

It is not disputed that in 1957 there was a wide-spread agitation in the State of Punjab the enforcement of the education policy of the State, incorporated in the "Sachar formula". Many persons were imprisoned or detained in the cause

(1) (1955) 1 S.C.R. 608.

of the agitation for individual acts done by them. But the movement was not and could not be declared illegal. It is common ground that in the Haryana region Hindi is the predominant language of the people and if a section of the people thought that compelling the students in the Haryana region to learn Punjabi was not in their interest and in the election campaign such a view was advocated and votes were canvassed on the promise that the candidate if elected will take steps to conserve the language of the area, it would be difficult to hold that appeal as amounting to a corrupt practice. It is open to a candidate in the course of his election campaign to criticise the policies of the Government including its language policy and to make promises to the electorate that if elected he will secure a reversal of that policy or will take measures in the Legislature to undo the danger, real, apprehended or even fancied, to the language, of the people. The object of the Haryana Lok Samiti was evidently to fight the imposition of Punjabi in the Haryana region and that aim appears to have been made the platform in the election campaign. Thereby it could not be said that the voters were asked not to vote for Daulta on the ground of his language, assuming that it was other than Hindi. Nor can it be said that it was an appeal to the voters to vote for Sidhanti on the ground of his language.

The evidence which has been referred to by the High Court regarding the speeches made by Badlu Ram and Harphul Singh on December 10, 1961, at Beri on the face of it shows that the speeches were an attack against Daulta in respect of his political conduct, behaviour and beliefs. The speeches made at the meetings at Sampla, Ladpur and Majra Dubaldhan read like political harangues addressed to the electorate to vote for the candidate who would protect the language of the people of Haryana. At Bahadurgarh also Sidhanti is stated to have claimed that he was opposed to the Government and its supporter Daulta in the matter of the language movement. The evidence also showed that Sidhanti had appealed to the voters to vote for him because he was actively associated with the Hindi agitation movement and that he was championing the cause of Hindi and resisting the imposition of a rival language Punjabi and thereby suggesting that Daulta was hostile to the cause of Hindi language and was supporting the Punjabi language. The criticism by Sidhanti in his appeal to the electorate related to the political leanings of Daulta, and his support to the policy of the Government and was not personally directed against him. Nor did Sidhanti appeal to the voters to vote in his favour on account of his language. Such political speeches espousing the cause of a particular language and making promises or asking the people to protest against the Government of the day in respect of its language policy is not a corrupt practice within the description of corrupt practice under section 123(3) of the Act.

We are therefore unable to agree with the High Court that Sidhanti was guilty of any corrupt practice under section 123(3) by appealing for votes on the ground of his language or by asking the voters to refrain from voting for Daulta on the ground of his language.

The appeal will therefore be allowed and the order passed by the Tribunal restored with costs in this Court and the High Court.

Sd./- P. B. GAJENDRAGADKAR, C.J.

Sd./- K. N. WANCHOO, J.

Sd./- K. C. DAS GUPTA, J.

Sd./- J. C. SHAH, J.

Sd./- N. RAJAGOPALA AYYANGAR, J.

NEW DELHI;
February 12, 1964.

[No. 82/42/62.]

By Order,

PRAKASH NARAIN, Secy.

DELIMITATION COMMISSION

Corrigendum

New Delhi, the 4th March 1964

S.O. 829.—In the Commission's notification No. 282/AP/63(3), dated the 25th February, 1964, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), dated the 25th February, 1964 (S.O. 724), (i) at p. 167, in item (15),

for the existing entries against serial numbers 1 and 2, the following shall be substituted,—

1. Ananthavarapadu Agraharam

2. Budampadu

and (ii) at page 183, under the column "Dissenting proposals", in item 3, against the entry "105. Narasaraopet" for "46, 51, 52, 53" the following shall be substituted,—

46, 50, 51, 52, 53.

[No. 282/AP/63(3).]

P. S. SUBRAMANIAN, Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 2nd March 1964

S.O. 830.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following regulations further to amend the Civil Service Regulations, namely:—

1. These regulations may be called the Civil Service (Amendment) Regulations, 1964.

2. In the Civil Service Regulations,

(a) For the existing clause (i) of article 176, the following shall be substituted:—

"Six days for preparation; and in addition thereto—

(a) For the portion of the journey which the officer travels by aircraft.	Actual time occupied in the journey
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(b) For the portion of the journey which he travels or might travel—	One day for each
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By railway	500 kilometres	or any longer time actually occupied in the journey
By ocean steamer	350 kilometres }	
By river steamer	150 kilometres }	
By motor car plying for public hire	150 kilometres	
By mail cart or other public stage conveyance drawn by horses	150 kilometres	
In any other way	25 kilometres	

(b) For the words "five miles" occurring in Note 2 below clause (ii) of article 176, the words "eight kilometres" shall be substituted.

[No. F. 6(2)-E.IV(B)/64.]

N. R. SUBRAMANIAN, Under Secy.

(Department of Economic Affairs)

New Delhi, the 3rd March 1964

S.O. 831.—In pursuance of clause (a) of sub-section (1) and sub-section (4) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government has appointed Shri M. R. Bhide as a Deputy Governor of the Reserve Bank of India for a period of five years with effect from the afternoon of 29th February, 1964.

[No. F. 3(62)-BC/63.]

R. K. SESHADRI,

Director (Banking & Insurance).

(Department of Economic Affairs)

New Delhi, the 4th March 1964

S.O. 832.—In pursuance of clause (b) of sub-section (1) of section 21 of the State Bank of India Act, 1955 (23 of 1955) read with Regulation 48 of the State Bank of India General Regulations 1955, the Central Government, in consultation with the Reserve Bank of India, hereby re-nominates Sardar Mohan Singh of the Oriental Building and Furnishing Company (Private) Ltd., Connaught Circus, New Delhi to be a member of the New Delhi Local Board with effect from the 11th April, 1964.

[No. F.8/25/64-SB.]

B. J. HEERJEE. Under Secy.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 28th day of February, 1964

ISSUE DEPARTMENT.

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department .	27,26,72,000		Gold Coin and Bullion :—		
			(a) Held in India	117,76,10,000	
Notes in circulation .	2423,15,56,000		(b) Held outside India	..	
			Foreign Securities	102,45,69,000	
Total Notes issued .		2450,42,28,000			
			TOTAL		220,21,79,000
			Rupee Coin		110,51,55,000
			Government of India Rupee Securities		2119,68,94,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		2450,42,28,000	TOTAL ASSETS		2450,42,28,000

Dated the 4th day of March 1964

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/64.]

A. BAKSI, Jt. Secy.

(Department of Revenue)

New Delhi, the 3rd March 1964

S.O. 834.—In pursuance of sub-rule (1) of rule 126T of the Defence of India Rules, 1962, the Administrator hereby makes the following amendments in the directions issued by him regarding the manufacture of ornaments by outworkers published with the notification of the Government of India in the Ministry of Finance (Department of Revenue) (Gold Control Administration) No. F.1/72/63-GC., dated the 11th October, 1963, namely:—

In the said notification, in the Annexure—

1. in Form A—

- (i) in the proforma relating to Issue and Receipts, for the figure “14” occurring in the column-headings, the figure “24” shall be substituted;
- (ii) in note (2), for the words “At the end of the week, on each Saturday”, the words “On the last day of every month” shall be substituted;
- (iii) in the form below note (2)—
 - (a) in items 1 to 5, the words and figures “in terms of 14 carat purity” shall be omitted,
 - (b) in items 1 and 2, for the word “week” the word “month” shall be substituted;
 - (c) after item 5, the following note shall be inserted, namely:—

“Note.—The quantity of primary gold or, as the case may be, gold, may be expressed in terms of either 14 carat purity or 24 carat purity.”;

2. in Form B, for the figure “14” wherever it occurs, the figure “24” shall be substituted.

[No. F.1/72/63-GC.II]

B. D. PANDE, Addl. Secy.

(Department of Revenue)

ORDER

STAMPS

New Delhi, the 7th March 1964

S.O. 835.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the stamp duty with which the debentures of the value of rupees fifty lakhs and fifty thousands issued by the Rajasthan Financial Corporation are chargeable under the said Act.

2. This Order shall be deemed to have taken effect from the 27th day of July, 1962.

[No. 3/F. No. 1/19/64-Cus.VII.]

M. G. VAIDYA, Under Secy.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, HYDERABAD: DECCAN

Hyderabad, the 14th February, 1964

S.O. 836.—In exercise of the powers conferred upon me under Rule 5 of Central Excise Rules, 1944, I hereby authorise the Assistant Collectors of Central Excise to exercise the powers of the Collector under the newly inserted sub-rule 10-A of Rule 191-A of the Central Excise Rules, 1944.

[No. 1(General-1)/C4-MP.]

N. MOOKHERJEE, Collector.

CENTRAL EXCISE COLLECTORATE, BOMBAY

CENTRAL EXCISES

Bombay, the 6th March, 1964

SUB.—Central Excise Rules, 1944—Authorisation of powers to Central Excise officers.

S.O. 837.—I authorise the officers not below the rank of Superintendent of Central Excise in the Bombay Central Excise Collectorate to exercise the powers under Rule 230 of the Central Excise Rules, 1944.

[No. CER/230/1(MP)/64.]

S. P. KAMPANI, Collector.

MINISTRY OF INDUSTRY

ORDER

Bombay, the February, 1964.

S.O. 838.—In exercise of the powers conferred by Section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with the notification of the Government of India in the late Ministry of Commerce and Industry S.O. 1825, dated the 9th September, 1958, I hereby cancel the Staple Fibre Control Order, 1958, issued under S.O. No. 1826, dated 9th September, 1958.

[No. 2(3)-Tex(D)/63.]

R. DORAISWAMY,
Textile Commissioner.

ORDER

New Delhi, the 9th March 1964

S.O. 839.—In exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Cement Control Order, 1961, namely:—

1. (1) This Order may be called the Cement Control (Second Amendment) Order, 1964.

(2) It shall be deemed to have come into force from the 1st January, 1964.

2. In the Schedule to the Cement Control Order, 1961, in the Table below paragraph (B), for the entry in column (3) against serial No. 15, the following entry shall be substituted, namely:—

“2,60,000 in any year provided that the combined production of the Sikka and Bombay Works of Shree Digvijay Cement Co. Ltd., is not less than 4,10,000 tonnes in that year.”

[No. 8-27/63-CEM.II.]

R. NATARAJAN, Under Secy.



(Indian Standards Institution)

New Delhi, 3rd March, 1964

S.O. 840.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962, the Indian Standards Institution hereby notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s)/are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s), for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952, as amended in 1961, and the rules and regulations framed thereunder, shall come into force with effect from 16 March, 1964.

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Products to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1.		Steel Wire Ropes for Winding Purposes in Mines.	IS: 1855-1961 Specification for Steel Wire Ropes for Winding Purposes in Mines.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.
2.		Cables for Vehicles	IS : 2465-1963 Specification for Cables for Vehicles.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. MD/17 : 2]

S. K. SEN,

Head of the Certification Marks Deptt.

MINISTRY OF STEEL, MINES AND HEAVY ENGINEERING

(Department of Mines and Metals)

New Delhi, the 3rd March 1964

S.O. 841.—In exercise of the powers conferred by sub-section (2) of section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government, after consultation with the Government of the State of Madhya Pradesh, hereby declares that the Central Government proposes to undertake prospecting operations in respect of limestone and dolomite in the State of Madhya Pradesh in the area specified in the Schedule hereto annexed, being a part of the area specified in the Schedule to the notification of the Government of India in the late Ministry of Mines and Fuel No. MII-187(3)/62, dated the 11th June, 1962.

SCHEDULE

S. No. Name of Village, Tehsil and District

Plot Nos.

1	2	3
1	Village : Mohaniya. Tehsil : Mudwara. Distt. Jabalpur.	53/4 अ—53/5—54/2—56/2—53/4 अ—53/4 अ—G.L. 58/2 अ—60/1 अ—61/1 अ—60/2—61/2 . O.C.L. 49/1 G.L. 49/2—53/ —53/3 O.C.L. 53/2 G.L.

1	2	3	4
Village : Mohaniya—(contd.)	54/1—56/1	.	O.C.L.
	58/2क—60/1क—61/1क	.	O.C.L.
	30	.	P. & W.L.
	51/1—52/1	.	P. & W.L.
	50	.	O.C.L.
	55/2	.	O.C.L.
	55/1—52/2	.	O.C.L.
	58/1	.	O.C.L.
	59	.	O.C.L.
	64—65/1	.	O.C.L.
	65/2—66/1	.	O.C.L.
	67—68/1	.	O.C.L.
	68/2	.	O.C.L.
	6/2—28	.	P. & W.L.
	29/1	.	P. & W.L.
	29/2	.	P. & W.L.
	30	.	P. & W.L.
	31—34/2—47—48/1	.	P. & W.L.
	45/3—51/2	.	G.L.
	9/2	.	P. & W.L.
	9/1	.	P. & W.L.
	27/1	.	O.C.L.
	26	.	O.C.L.
	48/2	.	O.C.L.
	45	.	O.C.L.
	44/2 क	.	O.C.L.
	44/2 ख	.	O.C.L.
	44/1	.	O.C.L.
	57—81/1	.	O.C.L.
	66/2क—77/2ख	.	G.L.
	12—13—14—15/1—24/2—27/2	.	P. & W.L.
	32—33/1	.	P. & W.L.
	33/2—34/1	.	P. & W.L.
	29/1—35/1क—46/3	.	P. & W.L.
	35/2—46/2	.	G.L.
	35/1ख—35/1ग—42/1—46/1	.	O.C.L.
	42/5—43—78/3—79—80—81/2—82	.	O.C.L.
	77/2 क—78/1—78/2	.	O.C.L.
	69/1	.	G.L.
	24/1 घ—24/4घ	.	G.L.
	24/1ख—24/4ख	.	G.L.
	42/4	.	G.L.
	42/3	.	O.C.L.
	87/3 क—88	.	G.L.
	88/3 ख	.	G.L.
	77/1—77/2ग	.	O.C.L.
	77/2घ	.	O.C.L.
	69/2	.	O.C.L.
	70	.	G.L.
	63	.	G.L.
	24/1 घ	.	G.L.
	24/1क—24/4क	.	G.L.
	22/2—23—24	.	O.C.L.
	22/1	.	P. & W.L.

1	2	3	4
Village : Mohaniya—(contd.)	21/2		P. & W.L.
	20/5		P. & W.L.
	36/4—36/5		O.C.L.
	36/8		O.C.L.
	36/7		O.C.L.
	37—38/1		O.C.L.
	38/2—39—40/1		O.C.L.
	85/2—86		O.C.L.
	87/2		O.C.L.
	71		O.C.L.
	18		P. & W.L.
	20/2		P. & W.L.
	20/4		P. & W.L.
	20/1		P. & W.L.
	20/3		P. & W.L.
	40/2—40/3—41/1—41/2—83—84—		
	123/1 क—123/3	P. & W.L.	
	85/1		P. & W.L.
	36/2		O.C.L.
	87/1—89/3		O.C.L.
	76/3—89/1		O.C.L.
	76/2—89/2		O.C.L.
	76/1		O.C.L.
	73—74—75		O.C.L.
	72/2ग—72/2क		G.L.
	15/2—15/4—15/5 क		O.C.L.
	36/6—123/1न		O.C.L.
	92—93/1—116/2—118/2—123/4		O.C.L.
	91		O.C.L.
	90/2—94/2—95		O.C.L.
	97—99		O.C.L.
	100/1—100/2—101		O.C.L.
	15/3—15/6—24/3		P. & W.L.
	19/1 क—19/1ख 19/2—19/3 छ		P. & W.L.
	19/1ग—19/2क—19/3क—123/1घ		P. & W.L.
	19/3ग—19/4—36/1—123/1 ष		P. & W.L.
	90/1		P. & W.L.
	98		G.L.
	15/5ग—15/5घ		P. & W.L.
	15/5ख		G.L.
	16—17—123/2—124		P. & W.L.
	122/2स—123/1क		G.L.
	118/3—119—120/2		O.C.L.
	93/2—94/1—96		O.C.L.
	125—130		G.L.
	122/2क—123/1 इ		O.C.L.
	123/1ख		O.C.L.
	120/2		O.C.L.
	122/1		G.L.
	121/3		G.L.
	121/1क		G.L.
	118/1		O.C.L.
	106/1		G.L.
	102/1		G.L.
	102/2		G.L.
	126/2—127/2		P. & W.L.
	128		G.L.
	114/2—148/1		G.L.

1	2	3	4
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Village : Mohaniya—(contd.)	117	G.L.	
	116/1	G.L.	
	102/3—4	G.L.	
	123/1ग—131	O.C.L.	
	123/1ख—123/2 ग	O.C.L.	
	148/2 क	O.C.L.	
	121/1ख—121/4	O.C.L.	
	121/2—132/1—133/1—133/2	O.C.L.	
	148/2ख—148/4	O.C.L.	
	133/4	G.L.	
	132/2—133/3—133/2	G.L.	
	115	G.L.	
	148/3	O.C.L.	
	114/1	O.C.L.	
	126/1	P. & W.L.	
	123/1ग—123/1 र	G.L.	
	127/1—129	O.C.L.	
	19/3ख	G.L.	
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Total area : 1.3892 sq. Kms. (including Total Govt. land 0.3099 Sq. Kms.)			
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Village : Samara(Bhatigwan)	96/1, 123 & 171/4, 97/1 ख	O.C.L.	
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Tehsil : Mudwara, Distt. Jabalpur .	97/1ख 122/3, 101	O.C.L.	
	121/2, 122/4, 124/1	G.L.	
	97/1 ज, 97/1 ट, 122/1	G.L.	
	130/1, & 130/2	P.&W.L.	
	131/1 क & 131/2 & 132/3क & 133/1	P.&W.L.	
	131/1 ख & 132/1 & 132/2 & 132/3 & ख P.&W.L. and 133/2.		
	97/1 छ & 103/2	O.C.L.	
	78/1 ग & 78/4 ख	O.C.L.	
	78/1 क 78/1 ख	O.C.L.	
	78/4 क & 100/2 ख & 102	P.&W.L.	
	78/2 & 79	P.&W.L.	
	78/3 & 80/1	P.&W.L.	
	78/1 ख	G.L.	
	97/1 क & 97/2 क	O.C.L.	
	97/1 घ & 98	O.C.L.	
	84/2ख & 84/3 & 94.	P.&W.L.	
	93/1	P.&W.L.	
	89/1 ग & 89/3 & 90 & 91	P.&W.L.	
	89/2 & 139 & 140/1 & 140/2 & 141	P.&W.L.	
	92	G.L.	
	83/2	O.C.L.	
	89/1 क	O.C.L.	

1	2	3	4
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Village : Sunhara (Bhatigwar)—(Contd.) 99 & 100/1, & 100/2 क . . . P.&W.L.			
	83/4 & 84/1 ग . . .		P.&W.L.
	84/1 घ & 84/1 ख & 85/2 ख . .		P.&W.L.
	85/3		P. & W.L.
	93/2 ख		P.&W.L.
	89/1 ख & 93/2 क		P.&W.L.
	93/2 ग		P.&W.L.
	83/1		G.L.
	83/5		G.L.
	85/1		G.L.
	80/2 & 81		O.C.L.
	82/1 & 82/2 & 83/3 & 84/1 क & 84/2 क		O.C.L.
	87		P.&W.L.
	86/1 & 86/2		O.C.L.
	138/1		G.L.
	2/1, 20 & 21/1 & 22/2, 22/3 . .		O.C.L.
	5/1, 5/1 ज		O.C.L.
	3/2 क & 4/1 क & 4/3 क & 5/1 क & 18/3		G.L.
	22/1, 23		G.L.
	24 & 30, 25		G.L.
	2/2 & 3/1 & 5/1 ख		P. & W.L.
	19/2 & 31 30/2		O.C.L.
	21/2		G.L.
	26		G.L.
	4/2—5/1 ग —17—18/1—19/1 . .		O.C.L.
	32/1		O.C.L.
	5/1 ग		G.L.
	32/2—32/3		G.L.
	32/4—32/11—32/12—32/13 . .		G.L.
	5/1 ख—18/2		P.&W.L.
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Total Area : 16488 Sq. Kms. (including Govt. land 0.4532 Sq. Kms.)			
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Village : Pondi, Tehsil : Sihora			
	2		G.L.
	3/1		O.C.L.
	3/2		O.C.L.
	3/3		O.C.L.
	4		O.C.L.
	55		O.C.L.
	54		O.C.L.
	53		O.C.L.
	52		O.C.L.
	51		O.C.L.
	50		O.C.L.
	48—49		P.&W.L.
	46		P.&W.L.
	47		P.&W.L.
	45		P.&W.L.

1	2	3	4
Village : Pondi—(contd.)	44	.	P.&W.L.
	72/1	.	P.&W.L.
	72/2	.	P.&W.L.
	73/1	.	P.&W.L.
	74/1	.	P.&W.L.
	5	.	G.L.
	6	.	G.L.
	13	.	P.&W.L.
	11—12—14/2	.	P.&W.L.
	14/1	.	O.C.L.
	10	.	O.C.L.
	9	.	O.C.L.
	8	.	O.C.L.
	7	.	O.C.L.
	15—16	.	O.C.L.
	18	.	O.C.L.
	19/1	.	O.C.L.
	18	.	O.C.L.
	40	.	O.C.L.
	43	.	O.C.L.
	41/1	.	O.C.L.
	41/2	.	O.C.L.
	41/3	.	O.C.L.
	41/4	.	O.C.L.
	97	.	O.C.L.
	19/2	.	O.C.L.
	21	.	O.C.L.
	22	.	O.C.L.
	99/1	.	O.C.L.
	99/2	.	O.C.L.
	101	.	O.C.L.
	103/2	.	O.C.L.
	102	.	O.C.L.
	24/3—36	.	G.L.
	39/4	.	G.L.
	38/2	.	G.L.
	39/5	.	G.L.
	39/1 & 2	.	G.L.
	39/6 & 7	.	G.L.
	100	.	G.L.
	98	.	G.L.
	17/2 & 3—24/1	.	P.&W.L.
	25	.	P.&W.L.
	26	.	P.&W.L.
	23	.	P.&W.L.
	35/1—36/1	.	G.L.
	24/2—27/1—34	.	P.&W.L.
	28/1 & 2	.	P.&W.L.
	29/1—30/1—30/3 & 4—29/2—30/2	.	P.&W.L.
	206/2—227/2	.	P.&W.L.
	205/1	.	P.&W.L.
	203—204	.	P.&W.L.
	201/3	.	P. & W.L.
	187/1	.	P. & W.L.
	31—32/1—204/2—205/3	.	P.&W.L.
	33	.	P.&W.L.
	32/2	.	P. & W.L.
	108/1	.	P.&W.L.
	108/2	.	P.&W.L.
	109—160/1—182/1—183—184—185—	.	P.&W.L.
	186—180/2—188	.	P.&W.L.
	182/3	.	P.&W.L.
	179—180—182/2	.	P.&W.L.
	107	.	P.&W.L.
	105/1	.	P.&W.L.
	105—2	.	P.&W.L.
	37—104/2	.	P.&W.L.

1	2	3	4
Village : Pondi— <i>Concl'd.</i>	105/3	.	P. & W.L.
	104/1—117/7	.	P. & W.L.
	103/1	.	P. & W.L.
	103/2	.	P. & W.L.
	115/2—117/6—118/1.	.	O.C.L.
	115/1	.	O.C.L.
	116/2—117/8—112/2.	.	P. & W.L.
	115/5 & 4	.	O.C.L.
	116/1	.	P. & W.L.
	117/4	.	P. & W.L.
	112/2—117/3	.	P. & W.L.
	112/1	.	P. & W.L.
	117/2	.	P. & W.L.
	117/1	.	P. & W.L.
	106—111	.	P. & W.L.
Total Area : 1-65380 Sq. Kms. (including Govt. land 0-1421 Sq. Kms.)			

NOTE :—

G. L. — Government land.

O.C.L. — Over cultivated land.

P. & W.L. — Paddy and wheat land.

[MII-187 (3)/62.]

H. S. SAHNI, Under Secy.

(Department of Mines and Metals)

New Delhi, the 5th March 1964

S.O. 842.—Whereas by the Notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel), S.O. No. 1334 dated the 2nd June, 1961, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands measuring 3520.00 acres (approximately) in the locality specified in the Schedule appended to that Notification and reproduced in Schedule-I appended hereto;

And Whereas by the Notification of the Government of India in the late Ministry of Mines and Fuel, S.O. No. 1497, dated the 22nd May, 1963, under sub-section (1) of section 7 of the said Act, notice was issued specifying a further period of one year commencing from the 2nd June, 1963 as the period within which the Central Government may give notice of its intention to acquire the said lands or any rights in or over such lands;

And whereas by the Notification of the Government of India in the Ministry of Steel, Mines and Heavy Engineering (Department of Mines and Metals) S.O. No. 3362, dated the 25th November, 1963, under sub-section (1) of section 7 of the said Act, the Central Government have given notice of its intention to acquire the lands measuring 3352.16 acres (approximately) or 1357.62 hectares (approximately) in the locality specified in the Schedule appended to that Notification and re-produced in Schedule-II appended hereto;

And whereas in respect of the remaining lands, no notice under sub-section (1), of section 7 of the said Act, showing intention to acquire the same has been issued;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act and of all other powers enabling it in this behalf, the Central Government hereby directs that the Notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) S.O. No. 1334 dated the 2nd June, 1961 and in the late Ministry of Mines and Fuel S.O. No. 1497 dated the 22nd May, 1963 shall cease to have effect in relation to the remaining lands, that is to say, to the lands specified in those Notifications which have not been mentioned in the said Schedule-II.

SCHEDULE I

(Pundi Block)

Drg. No. Rev./97/60¹

Dated 9-11-1960

Sl. No.	Village	Thara	Thara No.	District	Area in acres	Remarks
1	Mandu	Mar du	114	Hazaribagh	569.60	Part
2	Kekebasaudi	Mandu	115	Hazaribagh	300.80	Part
3	Pundi	Mandu	116	Hazaribagh	2131.40	Part
4	Parej	Mar du	117	Hazaribagh	7.00	Part
5	Barughutu	Mandu	118	Hazaribagh	5.00	Part
6	Duni	Mandu	119	Hazaribagh	135.00	Part
7	Bongahara	Mandu	120	Hazaribagh	371.20	Part
Total					3520.00 Acres	(Approximately)

Boundary Description :

AB—line passes through villages Kekebasaudi, Pundi and Parej.

BCDEFGHIJ—line passes along the left bank of River Bokaro, through villages Pundi and Duni, again along left bank of River Bokaro.

JK—line passes through villages Duni and Bongahara.

KLMN—line passes along boundary line of villages Bongahara, Pundi and Mar du.

NO—line passes through village Mandu.

OA—line passes through villages Mandu and Kekebasaudi.

SCHEDULE II

Pundi Block
West Bokaro CoalfieldDrg. No. Rev/116/63
Dated 6-10-1963.

ALL RIGHTS

(Showing lands to be acquired)

Sl. No.	Village	Thara	Thara No.	District	Area	Remarks
1	Mandu	Mar du	114	Hazaribagh		Part
2	Kekebasaudi	" "	115	"		"
3	Pundi	" "	116	"		"
4	Parej	" "	117	"		"
5	Barughutu	" "	118	"		"
6	Duni	" "	119	"		"
7	Bongahara	" "	120	"		"
Total					3352.16 acres (approximately)	
Or					1357.62 hectares (approximately)	

Plot Nos. to be acquired in Village Mandu:

2331(P), 2334(P), 2335, 2336(P), 2349(P), 2350 to 2628, 2629(P), 2630, 2631 (P), 2632 to 2648, 2649(P), 2650(P), 2651(P), 2718(P), 2720(P), 2975(P), 2979(P), 2982(P), 2983, 2984, 2985(P), 2986(P), 3005(P), 3006(P), 3007, 3008, 3009, 3010, 3011, 3012(P), 3018(P), 3023(P) and 3134.

Plot Nos. to be acquired in village Kekebasaudi :

119(P), 172(P), 173(P), 176(P), 177(P), 208(P), 211(P), 213(P), 214, 215(P), 216 to 237, 238(P), 239 to 250, 251(P), 256(P), 257 to 265, 255(P), 263(P), 270(P), 271(P), 272 to 277, 278 and 282.

Plot Nos. to be acquired in village Pundi :

26(P), 42(P), 69(P), 83(P), 84(P), 85(P), 86 to 150, 151(P), 152 to 196, 197(P), 198(P), 199, 200, 201, 202(P), 204(P), 207, 208(P), 220(P), 228(P), 230(P), 231 to 394, 395(P), 396, 397, 398, 399, 400, 401, 402(P), 405(P), 411(P), 413(P), 414(P), 415, 416(P), 417(P), 424(P), 425(P), 426, 427(P), 428, 429, 430, 431(P), 432(P), 433 to 495, 496(P), 497 to 521, 522(P), 523, 524(P), 525(P), 526(P), 527(P), 528(P), 529(P), 541(P), 542 to 561, 562(P), 563(P), 567(P), 568(P), 569(P), 570, 571(P), 572(P), 573(P), 577(P), 582(P), 583 to 584, 585, 586(P), 588(P), 589(P), 590 to 746, 747(P), 748 to 774, 775(P), 776 to 786, 787(P), 788(P), 789(P), 970(P), 791(P), 793(P), 798(P), 800(P), 801 to 1418, 1419(P), 1420, 1421, 1422, 1423, 1424, 1425, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444.

Plot No. to be acquired in village Parej :

204(P).

lot No. to be acquired in village Barughutu :

385(P).

Plot Nos. to be acquired in village Duni :

1 to 47, 48(P), 49, 50, 54(P), 55(P), 56(P), 57 to 94, 95(P), 112(P), 113(P), and 651(P).

Plot Nos. to be acquired in village Bongahara :

1, 2, 3, 4(P), 5(P), 54(P), 55(P), 56, 57, 58, 59(P), 60, 61, 62, 63, 64, 65, 66, 67(P), 68, 69(P), 70, 71, 72, 73(P), 84(P), 85, 86, 87, 88(P), 89(P), 121(P), 687(P), 695(P), 696(P), 697 to 737, 738, 739 to 782, 783(P), 784, 785(P), 786(P), 787, 788(P), 792(P), 793, 794(P), 795 to 855, 856(P), 857 to 1003, 1004(P), 1005, 1006, 1007(P), 1076(P), 1077(P), 1078, 1079, 1080, 1081, 1082(P), 1397, 1398, 1399, 1407, 1410(P) and 1411.

Boundary Description :

- A—B line passes through plot Nos. 172, 119, 266, 268, 271 and 270 in village Kekebasaudi through plot Nos. 2331, 2334, 2336, 2349, 2718, 2629, 2718, 2631, 2718, 2650, 2651, 2649, 2720, 2985, 2975, 2985, 2979, 2985, 2979, 2982, 2985, 2986, 3005, and 3006 in village Mandu and meets at point 'B'.
- B—C line passes through plot Nos. 3006, 3012 along the northern boundary of plot No. 3013, through plot Nos. 3023, 3018, 3023 in village Mandu and meets at point 'C'.
- C—D line passes along the part common boundary of villages Mandu and Hesagara and meets at point 'D'.
- D—E line passes along the common boundary of villages Pundi and Hesagara and meets at point 'E'.
- E—F line passes along the Part common boundary of villages Bongahara and Hesagara and meets at point 'F'.
- F—G line passes through plot Nos. 4, 5, 59, 55, 59, 54, 59, 121, 67, 69, 73, 84, 88, 738, 89, 738, 687, 695, 738, 696, 738, 783, 788, 786, 785, 794, 792, 687, 1410, 1082, 1077, 1076, 1077, 687, 856, 1004, 1007, 1004, in village Bongahara through plot Nos. 95 and 112 in village Duni and meets at point 'G'.
- G—H line passes along the part left Bank of Bokaro River in village Duni and meets at point 'H'.
- H—I—J lines pass through plot Nos. 112, 113, 54, 55, 56, 113, 48, 113 and 651 in village Duni and through plot No. 1419 in village Pundi and meet at point 'J'.
- J—K—L lines pass through plot Nos. 1419 and 798 in village Pundi i.e., along the part common boundary of TISCO's West Bokaro Colliery and meet at point 'L'.
- L—M—N lines pass through plot Nos. 798, 800, 571, 572, 573 and 417 in village Pundi and meet at point 'N'.
- N—O line passes through plot Nos. 417, 569, 568, 567, 562, 563, 541, 524, 525, 526, 527, 528, 522, 529, 496, 425, 427, 424, 431, 432 and 395 in village Pundi i.e. along the part common boundary of TISCO's West Bokaro Colliery and meets at point 'O'.
- O—P line passes through plot Nos. 395, 405, 402, 414, 416, 414, 411, 413, 411, 417, 220, 228, 220, 230, 220, 151, 208 and 151 in village Pundi, i.e. along the part common boundary of TISCO's West Bokaro Colliery and meets at point 'P'.
- P—Q line passes through plot Nos. 151, 202, 198, 204, 198, 197, 220, 582, 586, 588, 589, 577, 793, 747, 793 and 791 i.e. along the part common boundary of TISCO's West Bokaro Colliery in village Pundi and meets at point 'Q'.
- Q—R line passes through plot Nos. 791 and 790 in village Pundi and through plot No. 385 in village Barughutu i.e. along the part common boundary of TISCO's West Bokaro Colliery and meets at point 'R'.

- A—B line passes along part left Bank of Bokaro River in village Barughutu and meets at point 'S'.
 S—T line passes through plot No. 335 in village Barughutu, through plot Nos. 790, 789, 787, 775, 733, 739 and 42 in village Pundi and through plot No. 204 in village Parej i.e. along the part common boundary of TISCO's West Bokaro Colliery and meets at point 'T'.
 T—U line passes along the part left Bank of Bokaro River in village Parej and meets at point 'U'.
 U—A line passes through plot No. 204 in village Parej through plot No. 42 along the part southern boundary of Nala, then through plot Nos. 84, 85, 84, 83, 69, 26 along the common boundary of plot Nos. 1427 and 1436 in village Pundi and through plot Nos. 255, 251, 233, 233, 211, 213, 215, 119, 177, 175, 173 along part northern boundary of plot No. 172 in village Kekebasaudi and meets at point 'A'.

[No. C2-20(13)/60.]

S.O. 843.—Whereas by the Notification of the Government of India in the late Ministry of Mines and Fuel S.O. 2670 dated the 7th September, 1963 under sub-section (i) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that Notification;

And whereas the Central Government is satisfied that coal is obtainable in part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the lands measuring 6.65 acres (approximately) or 2.69 hectares (approximately) described in the Schedule appended hereto.

The plan of the areas covered by this Notification may be inspected in the office of the Deputy Commissioner, Dhanbad (Bihar) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi.

Any person interested in the aforesaid lands may within 30 days of the issue of this Notification, file objection to the acquisition of the whole or any part of the lands or of any rights in or over such lands to the Coal Controller, 1, Council House Street, Calcutta.

SCHEDULE

Central Jharia Block— 'A'
 (Sub-Block—I)
 Jharia Coalfield

Drg. No. Rev/138/63
 Dated 29-12-63
 (Showing lands to be acquired)

ALL RIGHTS

Sl. No.	Village	Thana	Thana No.	District	Area
1.	Kapuria	Topchanchi	349	Dhanbad	6.65 Part
Total area :—					6.65 acres (approximately)
OR					2.69 hectares (approximately)

Plot No. to be acquired in village Kapuria:—
 1168

Boundary Description

A-B line passes along the part eastern boundary of Road from Jamdiha Kenduadih i.e. along the north-western boundary of plot No. 1168

which is also the common boundary of plot Nos. 1168 and 1129 in village Kapuria and meets at point 'B'.

B-C line passes along the part common boundary of villages Kapuria and Bandhrih i.e. along the south-western boundary of plot No. 1168 in village Kapuria and meets at point 'C'.

C-D line passes along the common boundary of plot Nos. 1168 and 1169, 1168 and 1170 in village Kapuria and meets at point 'D'.

D-A line passes along the common boundary of plot Nos. 1168 and 1167, 1168 and 1165 in village Kapuria and meets at point 'A'.

[No. C2-20(20)/63.]

S.O. 844.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi or at the Office of the Deputy Commissioner, Hazaribagh or at the Office of the Coal Controller, 1-Council House Street, Calcutta.

All persons interested in the lands mentioned in the said Schedule shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi within 90 days from the date of publication of this notification.

SCHEDULE

Saram Blocks
East Bokaro Coalfield

Drg. No. Rev/23/63
Dated 6-2-63

(showing lands notified
for prospecting)

Block 'A'

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Sasbera	Gumia	105	Hazaribagh		Part
2.	Pipradih	"	106	"		Part
3.	Sawang	"	107	"		Part
4.	Palihari Gurudih	"	108	"		Part
5.	Ocho	"	109	"		Part
6.	Gumja	"	110	"		Full
7.	Khudgara	"	111	"		Part
8.	Saram	"	122	"		Part
9.	Hosir	"	123	"		Part
10.	Dhendhe	"	124	"		Part
11.	Hardiam	"	127	"		Part

Total :—7116.00 Acres (Approx.)
or 2881.98 Hectares (Approx.)

Boundary Description:

A-B line passes through villages Sasbera, Palihari Gurudih and Ocho and meets at point 'B'.

B-C line passes through villages Ocho, Dhendhe, Hosir and Hardiam and meets at point 'C'.

C-D line passes through village Hardiam, then along the part common boundary of villages Hardiam and Hosir, along common boundary of

- villages Kharwatanr and Hosir, part common boundary of villages Kharwatanr and Saram and meets at point 'D'.
- D-E line passes through village Saram and meets at point 'E'.
- E-F line passes along the part common boundary of villages Saram and Jhirki, common boundary of villages Saram and Palani and meets at point 'F'.
- F-G line passes along the common boundary of villages Khudgara and Palani i.e. along the part Central line of Bokaro river and meets at point 'G'.
- G-H line passes along the part common boundary of villages Khudgara and Hazari and meets at point 'H'.
- H-I-J lines pass through villages Khudgara and Sawang i.e. along the part common boundary of Sawang Colliery and meet at point 'J'.
- J-K-L lines pass through villages Sawang, Pipradih, Palihari, Gurudih, Sasbera and again through village Sawang i.e. along the part common boundary of Pipradih Colliery and meets at point 'L'.
- L-M-A lines pass through village Sawang, part common boundary of village Sasbera and Sawang and meet at point 'A'.

Block 'B'

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Hazari	Gumia	112	Hazaribagh		Part
Total :—89·60 Acres (Approx.) or 36·29 Hectares (Approx.)						

Boundary Description :

- N-O line passes through village Hazari i.e. along the part common boundary of Sawang Colliery and meets at point 'O'.
- O-P-Q lines pass through village Hazari and meet at point 'Q'.
- Q-N line passes along the part common boundary of villages Hazari and Gobindpur i.e. along the part Central line of Kunar River and meets at point 'N'.

[No. C2-20(34)/63.]

S.O. 845.—Whereas by the notification of the Government of India in the late Ministry of Mines and Fuel, S.O. No. 219 dated the 14th January, 1963, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands measuring 2492·33 acres (approximately) or 1209·39 hectares (approximately) in the locality specified in the Schedule appended to that notification and re-produced in Schedule I appended hereto;

And whereas by the notification of the Government of India in the late Ministry of Mines and Fuel, S.O. No. 3293 dated the 18th November, 1963, under sub-section (1) of section 7 of the said Act, the Central Government have given notice of its intention to acquire the lands measuring 825·00 acres or 334·13 hectares in the locality specified in the Schedule appended to that notification and reproduced in Schedule II appended hereto;

And whereas in respect of the remaining land, no notice under sub-section (1) of section 7 of the said Act, showing intention to acquire the same has been given;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act and of all other powers enabling it in this behalf the Central Government hereby directs that the notification of the Government of India in the late Ministry of Mines and Fuel, S.O. No. 219 dated the 14th January, 1963 shall cease to have effect in relation to the remaining lands, that is to say, to the lands specified in that notification which have not been mentioned in the said Schedule—II.

SCHEDULE—I

Drawing No. Rev/32/62

Dated 9-5-1962

Ramgarh Coalfield—Block—IV

Land notified for prospecting.

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Mael	Ramgarh	148	Hazaribagh	2492.33	Full
Total :—2492.33 acres (approximately)						or 1209.39 hectares (approximately).

Boundary Description :

- 1-2 line passes along the common boundary of villages Dhawalya and Mael.
- 2-3 line passes along the common boundary of villages Kumhradhara and Mael.
- 3-4 line passes along the common boundary of villages Sewai and Mael.
- 4-5 line passes along the common boundary of villages Sanri and Mael.
- 5-6 line passes along the common boundary of villages Sour and Mael.
- 6-7 line passes along the common boundary of villages Chitarpur and Mael.
- 7-8 line passes along the common boundary of villages Chhotkipona and Mael.
- 8-1 line passes along the common boundary of villages Borobing and Mael.

SCHEDULE—II

Drg. No. Rev/90/63

Dated 18-8-63
(Showing lands to be acquired)

Ramgarh—Block—IV

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Mael	Ramgarh	148	Hazaribagh		Part
Total area :—825.00 acres (Approximately)						or 334.13 hectares (Approximately)

Plot Nos. to be acquired in village Mael :

- 1 to 292, 293(P), 294 to 312, 313(P), 314(P), 315, 316, 317(P), 508(P), 544(P), 545(P), 546, to 581, 582(P), 584(P), 585 to 616, 617(P), 618(P), 620(P), 621(P), 648(P), 649(P), 650(P), 657(P), 659 to 720, 721(P), 722, 723 (P), 724 (P), 726(P), 751 (P), 752 (P), 753 (P), 756(P), 4180 to 4214, 4216 and 4231.

Boundary Description :

- A-B line passes along the part Central line of Damodar River and meeting at point 'B'.
- B-C line passes through Damodar River i.e. along the part common boundary of villages Mael and Borobing and meeting at point 'C'.
- C-D line passes through plot Nos. 724, 723, 724, 721, 726, 751, 752, 753, 756, 657, 650, 649, 648, 621, 620, 617, 618, 584, 508, 584, 582, 544, 545, 544, 317, 314, 313, 293 in village Mael and meeting at point 'D'.
- D-E line passes along the part common boundary of villages Mael and Sewai and meeting at point 'E'.
- E-A line passes along the common boundary of villages Mael and Kumhradhara and meeting at point 'A'.

ERRATA

New Delhi, the 5th March 1964

S.O. 846.—In the notification of the Government of India in the late Ministry of Mines and Fuel No. S.O. 3293 dated the 18th November, 1963 published in the Gazette of India, Part II Section 3 Sub-Section (ii) dated the 30th November, 1963, at page 4115, in line 38, for "Point 'D'" read "Point 'E'".

[No. C2-20(37)/62].

S.O. 847.—In the notification of the Government of India in the Ministry of Steel, Mines and Heavy Engineering (Department of Mines and Metals) No. S.O. 3362 dated the 25th November, 1963, and published in the Gazette of India, Part II Section 3 Sub-section (ii) dated the 7th December, 1963, at pages 4154 to 4156:—

1. at page 4155

(i) In line 49, for "73" occurring for the second time read "738".

(ii) In line 55, for "122" read "112".

2. at page 4156

(i) In line 18, for "778" read "775".

(ii) In line 19, for "b9undry" read "boundary".

(iii) In line 26, for "Villgge" read "Village".

[No. C2-20(13)/60.]

S.O. 848.—In the notification of the Government of India, in the late Ministry of Mines and Fuel, No. S.O. 3294 dated the 18th November, 1963 and published in the Gazette of India, Part II Section 3 Sub-Section (ii) dated the 30th November, 1963 at pages 4115 to 4117:—

1. at page 4116

(i) In line 24, for "mahar" read "mjhar".

(ii) In line 29, for "Murbhani" read "Murhbani".

2. at page 4117

(i) In line 4, for "1951" read "1957".

(ii) In line 12, for "300.00 (approximatively)" read "300.00 acres (approximately)".

[No. C2-25(A)/63.]

A. NABAR, Under Secy.

MINISTRY OF INTERNATIONAL TRADE

(Import Trade Control)

ORDER No. 1/64

New Delhi, the 14th March 1964

S.O. 849.—IECA/3-4A/1/64.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following Order further to amend the Imports (Control) Order, 1955, namely:—

1. This Order may be called the Imports (Control) 1st Amendment Order, 1964.

2. In Schedule II to the Imports (Control) Order, 1955, for the entry in column 3 relating to items 6, 7, 8, 8A, 8B and 8C, the following entry shall be substituted, namely:—

"For Iron and Steel and Ferro Alloys licensable by the Iron and Steel Controller in accordance with the policy announced by him from time to time."

[No. 44/55/63-Pol. IV/III.]

M. L. GUPTA, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE**(Department of Agriculture)***New Delhi, the 22nd February 1964*

S.O. 850.—The following draft of the Rape and Mustard Seeds Grading and Marking Rules, 1964 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 1st of April, 1964.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified, will be considered by the Central Government.

RAPE AND MUSTARD SEEDS GRADING AND MARKING RULES, 1964

1. Short title and application.—(1) These rules may be called the Rape and Mustard Seeds Grading and Marking Rules, 1964.

(2) They shall apply to Rape and Mustard seeds (Brassica group) produced in India.

2. Definitions.—In these rules—

(1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India.

(2) "Schedule" means a Schedule appended to these rules.

3. Grade designation.—Grade designations to indicate the quality of Rape and Mustard Seeds shall be as set out in column 1 of Schedule II.

4. Definition of quality.—The quality indicated by the respective grade designations shall be as set out against each grade designation in columns 2 to 7 of Schedule II.

5. Grade designation mark.—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word 'AGMARK' and the figure of the rising sun, with the words 'Produce of India' and 'resembling the one as set out in Schedule I.

6. Methods of marking.—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser and shall clearly show the following particulars, namely:—

- (a) Grade designation.
- (b) Variety or Trade Name.
- (c) Net weight.
- (d) Date of packing.

(2) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said Officer, provided that the private trade mark does not represent quality or grade of Rape and Mustard seeds different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of packing.—(1) Only sound, clean and dry containers made of jute, cloth, polythene or paper shall be used for packing. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell

(2) The containers shall be securely closed and sealed in such manner as may be prescribed by the Agricultural Marketing Adviser.

(3) Each package shall contain Rape Seed or Mustard Seeds of one grade designation only.

8. Special conditions of certificate of authorisation.—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1967, the following

special conditions shall be observed by packers to the satisfaction of the Agricultural Marketing Adviser, namely:—

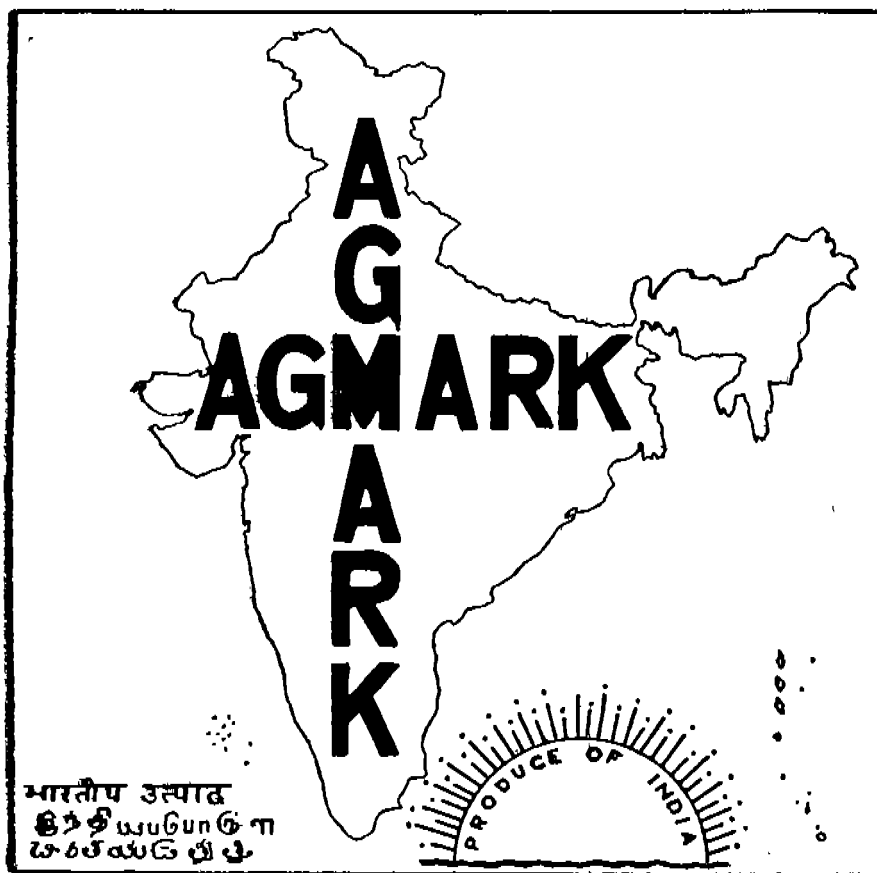
- (1) An authorised packer shall make such arrangements for testing Rape and Mustard Seeds as may be prescribed from time to time by the Agricultural Marketing Adviser.
- (2) An authorised packer shall provide all facilities to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser in this behalf, for sampling, testing and such other matters as may be necessary.

SCHEDULE I

(See rule 5)

Design for the Grade Designation Mark

NOTE.—The Tamil and Telugu words will not occur in the labels in case where commodities are graded for the purpose of export.



SCHEDULE II
(See rules 3 and 4)

Grade designation	Special Characteristics.					General Characteristics
	Maximum limit of tolerance					
	Foreign matter % by wt.	Dead, badly discoloured and damaged % by wt.	Unripe shrivelled and slightly damaged % by weight	Small atrophied seeds % by weight	Admixture* of other varieties of mustard % by weight	
1	2	3	4	5	6	7
Special	1.0	1.0	1.5	5.0	5.0	The seeds shall—
Standard	2.0	1.5	3.0	10.0	10.0	(a) have shape, size, colour and pungency characteristic of the variety/form,
General	3.0	2.0	4.0	20.0	15.0	(b) be mature, hard, wholesome and well-dried, moisture not exceeding 6%,
						(c) not have any trace of Argemone seeds,
						(d) be free from moulds or insect damage and deleterious substances,
						(e) not bear the grains of any other species and
						(f) be in a sound merchantable condition.

- Definitions :**
1. Foreign matter includes dust, dirt, stones, lumps of earth, chaff, stems or straw, food-grains including oil seeds of any other variety or any other impurity.
 2. Dead Seeds include seeds that are duds and can easily be crushed by hands.
 3. Badly discoloured and damaged : Seeds that are internally damaged or discoloured, damaged and discolouration materially affecting the quality.
 4. Unripe and shrivelled : Seeds that are not properly developed.
 5. Slightly damaged : Seeds that are sufficiently damaged or discoloured, damage and discolouration not materially affecting the quality.
 6. Small atrophied seed means seeds not retained in sieves with 14 meshes per linear inch (1" = 2.54 cm). This factor will not be applicable to the juncea or nigra group of seeds.
 7. Other coloured seeds mean seeds of any colour other than that of the specific variety/form.

*This will not apply to *Brassica juncea* (Lotni) or *Brassica nigra* if mixed with *Brassica campestris* var *Sarsona*/Torla/Dichotoma.

[No. F. 17-2/64-AM (I).]

S.O. 851.—The following draft of the Taramira Seeds Grading and Marking Rules 1964 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 1st of April, 1964.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified, will be considered by the Central Government.

TARAMIRA SEEDS GRADING AND MARKING RULES, 1964

1. Short title and application.—(1) These rules may be called the Taramira Seeds Grading and Marking Rules, 1964.

(2) They shall apply to Taramira (*Ercua sativa*). Seeds produced in India.

2. Definitions.—In these rules—

(1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India.

(2) "Schedule" means a Schedule appended to these rules.

3. Grade designation.—Grade designations to indicate the quality of Taramira Seeds shall be as set out in column I of Schedule II.

4. Definition of quality.—The quality indicated by the respective grade designations shall be as set out against each grade designation in columns 2 to 6 of Schedule II.

5. Grade designation mark.—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word 'AGMARK' and the figure of the rising sun, with the words 'Produce of India' and 'भारतीय उत्पाद') resembling the one as set out in Schedule I.

6. Methods of marking.—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser and shall clearly show the following particulars, namely:—

- (a) Grade designation.
- (b) Variety or Trade Name.
- (c) Net weight.
- (d) Date of packing.

(2) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said Officer, provided that the private trade mark does not represent quality or grade of Taramira seeds different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of packing.—(1) Only sound, clean and dry containers made of jute cloth, paper or polyethylene shall be used for packing. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(2) The containers shall be securely closed and sealed in such manner as may be prescribed by the Agricultural Marketing Adviser.

(3) Each package shall contain Taramira seeds of one grade designation only.

8. Special conditions of certificate of authorisation.—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the following special conditions shall be observed by packers to the satisfaction of the Agricultural Marketing Adviser, namely:—

- (1) An authorised packer shall make such arrangements for testing Taramira seeds as may be prescribed, from time to time by the Agricultural Marketing Adviser.
- (2) An authorised packer shall provide all facilities to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser in this behalf, for sampling, testing and such other matters as may be necessary.

SCHEDULE I

(See Rule 5.)

Design for the Grade designation mark.



NOTE.—The Tamil and Telugu words will not occur in the labels in case where commodities are graded for the purpose of export.

Schedule II
(See rules 3 and 4)

Grade designation					Special Characteristics				General Characteristics
					Maximum limit of tolerance				
					Foreign matter % by wt.	Dead, badly discoloured and damaged	Unripe, shrivelled and slightly damaged % by weight	Admixture of other* coloured seeds % by weight	
1					2	3	4	5	6
Special	3.0	3.0	2.0	10.0	The seeds shall— (a) have shape, size, colour and pungency characteristics of the variety/form, (b) be mature, hard, whole-some and well-dried moisture not exceeding 6%, (c) not have any trace of Argemone seeds, (d) be free from moulds or insect damage and deleterious substances, (e) not bear the grain of any other species except to the extent provided under col. 5 of the schedule, and (f) be in a sound merchantable condition.
Standard	.	.	.	.	4.0	5.0	4.0	15.0
General	.	.	.	.	6.0	8.0	8.0	20.0

Definitions

1. Foreign matter includes dust, dirt, stones, lumps of earth, chaff, stems or straw, food-grains including oil-seeds of any other variety or any other impurity.
 2. Dead seeds include such seeds that are dead and can easily be crushed by hand.
 3. Badly discoloured and damaged : Seeds those are internally damaged or discoloured, damage and discolouration materially affecting the quality.
 4. Unripe and shrivelled : Seeds those are not properly developed.
 5. Slightly damaged : Seeds those are superficially damaged or discoloured, damage and discolouration not materially affecting the quality.
 6. Other coloured seeds mean seeds of any colour other than that of the specific variety/form.
- *Will not apply if mixed with rape and mustard seeds.

[No. F. 17-2/64-AM (H)].

New Delhi, the 5th March 1964

S.O. 852.—The following draft of certain rules further to amend the Tobacco Grading and Marking Rules, 1937, which the Central Government proposes to make, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published, as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 1st April 1964.

Any objection or suggestion which may be received from any person with respect to the said draft before the date aforesaid will be considered by the Central Government.

DRAFT RULES

1. These Rules may be called the Tobacco Grading and Marking (Amendment) Rules, 1964.

2. In the Tobacco Grading and Marking Rules, 1937,—

(1) in rule 7, for the figures "XV", the figures "XVII" shall be substituted;

(2) in schedule II—

(a) after grade designation 2 and the entries relating thereto, the following grade designations and entries shall be inserted, namely:—

1	2	3	4
"AF*	Bright lemon and/or bright orange and/or yellow to light orange.	Fine to Medium	Good body leaves or strips consisting of Agmark grades 1 and 2 put together not less than 45 per cent and the balance of Agmark grade 3.
AS*	Do.	Do.	Good body leaves or strips consisting of Agmark grades 1 and 2 put together not less than 30 per cent and the balance of Agmark grade 3.
AT*	Do.	Do.	Good body leaves or strips consisting of Agmark grades 1 and 2 put together not less than 15 per cent and the balance of Agmark grade 3." ;

(b) after grade designation 3 and the entries relating thereto the following grade designation and entries shall be inserted, namely:—

1	2	3	4
"FLG	Bright lemon and/or bright orange and/or yellow to light orange with light green cast on the veins, midribs, periphery and tips.	Fine to medium.	Good body leaves or strips having the characteristics of Agmark grades 1, 2, 3 and 4 separately or mixed with light green cast as specified in column 2. Patches of deeper shades of greenish or brownish cast or other blemish altogether shall not exceed 10 per cent of the total area." ;

(c) for paragraph (ii) of the foot-note marked @, the following paragraph shall be substituted, namely:—

"(ii) The expression "C" shall be applicable to the middle grade of the three consecutive grades. The middle grade shall be the principal grade and it shall not be less than 70 per cent of the total weight. The next lower grade to the principal grade shall not exceed 15 per cent of the total weight." ;

(d) after the footnote marked †, the following footnote shall be inserted, namely:—

“*The grade designations will be applicable under the following conditions:—

- (i) That the tobacco is sold only to a recognised manufacturer of tobacco products against definite orders;
- (ii) That the tobacco shall not be sold in the market;
- (iii) That the tobacco is sold at a price calculated on the basis of proportions of three constituent grades and their prevailing prices.
- (iv) That the word “General” may be added to each of these grades if the proportion of Agmark grade 1 in the total composite packing is 4 per cent and above, but is below 10 per cent, and the word “Special” if the proportion of Agmark grade 1 in the total composite packing is 10 per cent and above.”;

3. in Schedule IV—

(a) after the grade designation CG and the entries relating thereto the following grade designations and entries shall be inserted, namely:—

1	2	3	4
“SP@	Brown or Mixed.	Dark or Good body and Texture	It shall consist of bits (not less than 30.8 mm. in length) obtained from whole leaves after discarding ‘butt’ and ‘tip’ ends. It shall be free from dust, other extraneous matter and moulds. Blemish due to breakage, handling, insect attack and spot disease (frog eye) shall not exceed 4/100 h of the surface.
SBa@	Do.	Medium body and medium to fair texture.	Do.
SBM@	Do.	Good to Medium texture.	It shall consist of strands or shreds (not less than 25.4 mm. in length and 2.1 mm. in width) obtained from whole leaves.”;

(b) after the footnote marked † the following shall be inserted, namely:—

“@ Applicable to sweated tobacco”;

(4) in Schedule XII—

after grade designation (L) GB and the entries relating thereto the following grade designation and entries shall be inserted, namely:—

1	2	3	4
“Fole	Mixed	..	Broken pieces of leaves of <i>lal chopadia</i> more than 12.7 mm. in size not less than 60% of the total weight, flakes of this size and stems together not less than 80% of the total. It shall be free from foreign matter.”;

(5) In Schedule XIII—

- (a) after the grade designation J BY and the entries relating thereto, the following grade designation and entries shall be inserted, namely:—

1	2	3	4
"JDB	Dark Brown with medium spangling.	Medium	Good body leaves with medium aroma with or without greenish tinge at veins. Blemish up to 15% of the total area."

- (b) after the grade designation JGB and the entries relating thereto, the following grade designation and entries shall be inserted, namely:—

1	2	3	4
"Fole	Mixed	..	Broken pieces of leaves of <i>Judi</i> more than 12.7 mm. in size not less than 60% of the total weight flakes of this size and stems together not less than 80% of the total. It shall be free from foreign matter."

(6) in Schedule XIV—

- (a) for the heading, the following heading shall be substituted, namely:—

"Grade designations and definition of quality of unmanufactured sun-cured Natu bidi tobacco flakes and stems";

- (b) against the grade designation a "processed"

- (i) for the entries in the column relating to "colour", the following shall be substituted, namely:—

"Greenish to dark green or yellowish to dark brown or mixed."

- (ii) in the entry in the column relating to "size," the following shall be added at the end, namely:—

"Khandi (stems) shall not exceed 10% of the total weight.";

- (c) against the grade designation "Semi-processed" for the entries in the column relating to "colour", the following shall be substituted, namely:—

"Greenish to dark green or yellowish to dark brown or mixed."

- (d) after the grade designation "2. Semi-processed" and the entries relating thereto, the following grade designations and entries shall be inserted, namely:—

1	2	3	4
"3. Rawā	Greenish to dark green or yellowish to dark brown or mixed.	Medium to Coarse	Between 0.85 mm. and 1.59 mm in size and free from foreign matter.
4. Stems**			Stems shall consist of mid-ribs of leaves of <i>bidi</i> tobacco only between 6.35 mm and 127 mm in length and free from foreign matter. Butts and bark shall not exceed 10 per cent."

- (e) for footnotes 1 and 2, the following footnotes shall be substituted, namely:—

"1. "6.35 mm, 1.59 mm and 0.85 mm mean not more than 4th or 16th or 30th square or circular apperture per linear 25.4 mm respectively.

2. To allow for accidental errors in grading, a tolerance of 5% of tobacco not conforming to the specifications will be tolerated in grades 'Processed' and 'Semi-processed'.

**3. The grade designation shall be marked provided the sale is against a 'firm order' from the buyer, the phrase 'firm order' meaning that either the whole of the purchase money is to be paid in advance in cash or is guaranteed in some other way."

(7) Schedule XV shall be renumbered as Schedule XVII and before Schedule XVII as so renumbered, the following Schedules shall be inserted, namely:—

"SCHEDULE XV

(See rules 2 and 3)

Grade designations and definitions of quality of unmanufactured sun-cured Black Chapodia tobacco

Grade Designation	Special Characteristics		
	Colour	Texture	Body and Conditions
(B) DB	Dark Brown	Medium	Good body leaves with fine aroma blemish* upto 10 per cent of the total area.
(B) D	Dark	Medium to Coarse	Do.
(B) GD	Greenish	Do.	Do.
Fole	Dark Mixed	..	Broken pieces of leaves of Black Chapodia more than 12.7 mm in size not less than 60% of the total weight, flakes of this size and stems together not less than 80% of the total. It shall be free from foreign matter.

*Blemish includes damage due to disease, spots, sunburn and breakage in handling.

1. To allow for accidental errors in grading a tolerance of 5 per cent of leaves corresponding to the specifications in the next grade will be allowed.

2. In the case of 'hands' (Leaf bundles) the customary placement of small leaves and bits shall be tolerated to the extent of 20 per cent.

SCHEDULE XVI

(See rules 2 and 3)

blemish. Greenish tinge at veins is, however, not considered as blemish. Chapodia tobacco.

Grade Designation	Special Characteristics.		
	Colour	Texture	Body and Conditions
C (BY)	Brownish yellow with heavy spangling on the leaf.	Thick	Good body leaves with fine aroma. Blemish* upto 5 per cent of the total area.
C (DB)]	Dark brown with medium spangling.	Medium	Good body leaves with medium aroma. Blemish* upto 15 per cent of the total area.

1	2	3	4
C(GB)	Greenish brown Medium with or without spangling.	Good body leaves with medium aroma. Blemish upto 20 per cent of the total area.	
Fole	Mixed	Broken pieces of "Calcuttia" leaves of tobacco more than 6.35 mm in size and free from foreign matter.	

*Blemish includes damage due to disease, spots, sun-burn and breakage in handling. In the first two grades, greenish patches are also considered as blemish. Greenish tinge at veins is, however, not considered as blemish.

1. To allow for accidental errors in grading, a tolerance of 5 per cent of leaves corresponding to the specifications of the next lower grade will be allowed.

2. In the case of 'hands' (leaf bundles) the customary placement of small leaves and bits shall be tolerated to the extent of 20 per cent."

[No. F.13-6/63-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)
(Indian Council of Agricultural Research)

New Delhi, the 3rd March, 1964

S.O. 853.—In pursuance of the provisions of Rule 22(4) of the Indian Central Coconut Committee Rules 1945, the Central Government hereby publish the following audited accounts of Receipts and Expenditure of the Indian Central Coconut Committee for the year 1961-62 together with the Auditor's report.

Audit Report on the accounts of the Indian Central Coconut Committee, Ernakulam for the year 1961-62.

1. The Committee has been formed in pursuance of the Indian Coconut Committee Act, 1944. The main source of income of the Committee is the amount paid to it by the Central Government representing the net proceeds of the cess levied under Section (3) of the Indian Coconut Committee Act, 1944. Besides, grants are also received by the Committee from the Central Government; the total amount thus received as grant by the Committee from Central Government during 1961-62 was Rs. 3.21 lakhs.

2. The Committee runs research institutions and undertakes schemes for the improvement and development of the cultivation and marketing of coconuts and other coconut products. It also gives grants-in-aid to various institutions and schemes sponsored by the departments of the State Governments for improvement and development of the cultivation, marketing and utilisation of coconuts etc., under Section 9 of the Indian Coconut Committee Act, 1944. The Schemes undertaken by the Department of Governments include establishment of Coconut Research Stations, Coconut Nurseries, etc. During the year the Committee disbursed Rs. 2.72 lakhs as grant to several State Government institutions (Rs. 2.60 lakhs) and other institutions (Rs. 0.12 lakhs) for purpose of 'Research and other Schemes'.

A broad analysis of the Receipts and Payments of the Committee for the year 1961-62 is given below :—

Receipts (in lakhs of rupees)		Payments (in lakhs of rupees)	
Opening Balance	11.91	Administrative Expenditure :	
Amount transferred to the Committee by the Govt. of India representing the proceeds of Coconut cess	10.29	Pay	0.82
Grant from Central Government	3.21	Allowances	0.52
Advance recoverable	1.01	Other exp.	1.03
Miscellaneous receipts	2.58		
	29.00		2.37
		Research and other Schemes	10.48
		Other Misc. expenditure	2.53
		Refund of balance of Central Govt. grant	1.69
		Closing Balance	11.93
			29.00

3. The proper functioning of the schemes undertaken by the State Governments and the utilisation of the grants-in-aid paid by the Committee on the objects for which they are given are ensured by obtaining :—

- (i) audit certificates from the Audit Officers regarding the proper utilisation of the grant-in-aid ; and
- (ii) grant-in-aid statements from State Government Departments showing the sums allotted, actual expenditure incurred, outstanding liabilities and unexpended balance.

It was observed that these statements are not received promptly and regularly as shown below and as such, the control exercised by the Committee in this respect cannot be stated to be adequate.

(i) Audit certificates not furnished for want of information from Departments.

Name of State	1957-58	1958-59	1959-60	1960-61	1961-62
(Amount in lakhs of rupees)					
Andhra Pradesh . . . . .	..	..	0.40	0.62	0.20
Assam . . . . .	..	0.095	0.15	0.096	0.29
Kerala	0.31	0.48	0.79	1.39	1.01
Maharashtra	0.12	0.03	0.07	0.24	0.23
Orissa	0.29	0.18	0.38	0.23	0.09
West Bengal	0.04	0.04	0.05	0.11	Not paid.

(d) Grant-in-aid statements still to be obtained from Government Departments.

Name of State	Regional Coconut Research Stations		Coconut Nurseries		Miscellaneous Schemes	
	Years	Amount	Years	Amount	Years	Amount
		(Amount in lakhs of rupee)				
Kerala	1957-58 onwards.	0.88	1957-58 onwards.	1.49	1957-58 onwards.	2.02
Andhra Pradesh	1959-60 onwards.	0.19	1959-60 onwards.	0.23	1959-60 onwards.	0.79
Maharashtra	1957-58 onwards.	0.35	..	..	1960-61 onwards.	0.34
Assam	1957-58 onwards.	0.07	..	..	1958-59 onwards.	0.03
Orissa	1957-58 onwards.	0.71	1957-58 onwards.	0.20	1959-60 onwards.	0.25
West Bengal . . . . .	..	..	1957-58 onwards.	0.23	..	..
Madras . . . . .	..	..	..	..	..	..

Sd. Accountant General, Kerala
28-5-63.

RECEIPTS AND PAYMENTS ACCOUNT OF THE INDIAN CENTRAL COCONUT COMMITTEE FOR THE YEAR ENDED
31ST MARCH, 1962

Part I Regular

RECEIPTS			PAYMENTS			
	Rs.	nP.	Rs.	nP.	Rs.	nP.
To Opening Balance	10,21,924	58	<i>I.A. Administration.</i>			
To advances recoverable	1,01,057	34	11,22,981	92	Office of the Indian Central Coconut Com- mittee	
To Coconut cess			10,29,184	28	Pay of Officers and Staff	
<i>Other Receipts.</i>					65,630	
(a) Receipts from publications:—					Dearness Allowance	
1. Subscription to bulletin	3,528	25			17,785	
2. Subscription to Journal	623	18			House Rent Allowance	
3. Cost of Hand Book	1,264	96			1,897	
4. Sale of Monograph	5,431	90			Medical Attendance	
5. Sale of (Cheaper Edition)	18	00			865	
6. Sale of Coconut Atlas	553	75			Travelling Allowance	
7. Postages on publications	374	25			8,882	
8. Advertisement in bulletin	2,223	15			Leave Salary & Pension Contribution	
9. Advertisement in Journal	823	70	14,841	14	4,136	
					I.C. Coc. C. Provident Fund Contribution	
(b) Miscellaneous Receipts			4,833	10	5,772	
(c) Receipts from :—					Postage, Telegrams and Telephone	
(i) Central Coconut Research Station, Kar- aragod.					7,949	
					Books and Periodicals	
					811	
					Stationery and Forms	
					3,077	
					Printing	
					3,439	
					Office Contingencies	
					15,100	
					Furniture and office equipment	
					1,269	
					Conveyance advance	
					343	
					Audit Fees	
					1,200	
					1,38,164	
					B. T.A. of Non-Official Members	
					8,421	
					C. <i>Publicity & Propaganda.</i>	
(a) 1. Farm Produce	73,895	26			1. Bulletin	
2. Rent on buildings	2,139	15			38,642	
3. Miscellaneous receipts	1,056	67			2. Journal	
4. Van hire charges	1,068	85	78,159	93	3,048	
					2,381	
					3. Handbook on Coconut Cultivation	
					2,381	

(b) Receipts from the Scheme for procurement and supply of seed coconuts.					
(ii) Central Coconut Research Station, Kayangulam.					
1. Farm Produce . . .	29,135·47			4. Photographic equipments . . .	353·47
2. Rent on buildings . . .	1,719·09			5. Pamphlets . . .	9,163·01
3. Miscellaneous . . .	819·21			6. Folder . . .	2,151·85
Office of the Indian Central Coconut Committee Suspense Account . . .		31,673·77		7. Exhibition . . .	1,273·51
				8. Miscellaneous . . .	3,141·34
				9. Advertisement . . .	885·40
					61,041·37
				II. Agricultural Research	
				A. Research Stations—	
				(i) Central Coconut Research Station, Kasaragod.	
				Capital Expenditure	
				Layout . . .	4,757·73
				Buildings Residential & Non Residential	2,580·57
				Farm Implements, Carts & Vans . . .	226·92
				Furniture & Office equipments . . .	2,828·60
				Laboratory equipment . . .	19,928·04
				Meteorological Observatory . . .	417·85
				Photographic equipment . . .	308·48
					31,048·19
				Revenue Expenditure.	
				Pay of Officers and staff . . .	75,082·99
				Dearness Allowance . . .	20,213·27
				Medical Attendance . . .	476·07
				Travelling Allowance . . .	6,223·22
				Leave Salary and Pension Contribution	2,193·08
				I.C. Coc. C. Provident Fund Contribution . . .	8,297·00
				Petty Construction and Repairs . . .	4,111·27
				Cultivation Charges . . .	9,533·87
				Manures and Chemicals . . .	6,741·37
				Maintenance of Cattle . . .	5,302·32
				Miscellaneous Expenses . . .	28,586·05
				Apparatus and Materials . . .	17,733·47
				Library Books and Periodicals . . .	2,938·02
				Office contingencies . . .	15,291·38
				Conveyance advance . . .	350·00
					2,03,073·38
				Seednut Procurement Scheme.	
				Pay . . .	6,271·52
				Dearness Allowance . . .	3,305·41

RECEIPTS		PAYMENTS	
Rs.	nP.	Rs.	nP.
		Furniture and Office Equipment	147·90
		Travelling Allowance	2,533·65
		Miscellaneous Expenses	1,781·43
		Packing and Transport charges	4,843·58
		Railway Freight	47,588·30
		Transporting charges to store	4,267·28
		Cost of Gunny Bags	10,235·11
		Harvesting and collection charges	4,777·90
		Cost of Nuts	80,373·53
		Miscellaneous including stationery	416·97
		Loading charges	282·70
			1,66,825·28
		<i>Hormone Spraying Scheme.</i>	
		Pay	3,653·19
		Dearness Allowance	1,162·14
		Travelling Allowance	0·80
		Miscellaneous Expenses	4,855·23
			9,671·36
		(ii) <i>Central Coconut Research Station, Kanyakulam.</i>	
		<i>Capital Expenditure.</i>	
		Layout	13,992·75
		Building and Residential & Non-residential	6,964·60
		Farm Implements, Carts and Vans	811·09
		Furniture and Office Equipment	2,854·15
		Laboratory Equipment	14,501·38
		Meteorological Observatory	1,350·47
		Photographic Equipment	111·68
			40,586·12
		<i>Revenue Expenditure.</i>	
		Pay of Officers and Staff	86,528·06
		Dearness Allowance	17,515·75
		Medical Attendance	575·20
		Travelling Allowance	7,488·56
		Leave Salary & Pension Contribution	1,941·12
		I.C. Coc. C. Provident Fund Contribution	8,270·00
		Petty Construction and Repairs	5,684·43

Cultivation charges	10,423·99	
Manures and Chemicals	16,438·58	
Miscellaneous Expenses	31,675·34	
Apparatus and Chemicals	9,087·48	
Library Books and Periodicals	5,999·60	
Office contingencies	15,849·14	2,17,477·25

B. Grants-in-aid schemes.

(a) Research Stations	
Regional Coconut Research Station in Andhra Pradesh	13,558·00

(b) Miscellaneous	
1. Mother Palms Competition for Coconut in Andhra Pradesh	300·00
2. Scheme for the investigation of band disease of coconut palm in Maharashtra State	5,000·00
3. Coconut Fertiliser demonstration scheme	1,681·96
4. Scheme for laying simple manurial trials in coconut cultivators gardens in Madras State	1,250·00

(c) Marketing Schemes.

Organisation of co-operative marketing Societies in Andhra Pradesh	5,899·37	27,689·33
Committed schemes transfer		
I.C.Coc. C. Provident Fund of Shri T.A. Davis outstanding as per last balance sheet, paid. . . .	873·32	
Suspense account as per last balance sheet paid	462·39	1,335·71

Advances recoverable.

I.C.Coc. C. Provident Fund amount excess drawn from State Bank of India, Cochin	20·00
Safe custody fees on N.S.C's	30·51

RECEIPTS		PAYMENTS	
Rs.	nP.	Rs.	nP.
		Car Advance	3,400.00
		Cycle Advance	182.00
		Caution Money Deposit	50.00
		Festival advance	1,423.00
		Advance to Seednut Procurement	1,25,000.00
		Flood relief advance	430.00
			<u>1,30,535.51</u>
		<i>Closing Balance.</i>	
		Imprest office of the Indian Central Coconut Committee	750.00
		Imprest Central Coconut Research Station, Kayangulam	1,500.00
		Imprest Central Coconut Research Station, Kasaragod	15,00.00
		Closing Balance	<u>11,56,196.00</u>
			11,59,946.70
		TOTAL	<u>24,10,023.51</u>

RECEIPTS AND PAYMENTS ACCOUNT OF THE INDIAN CENTRAL COCONUT COMMITTEE FOR THE YEAR ENDED 31ST MARCH
1962

PART I—COMMITTED

RECEIPTS	Rs. nP.	Rs. nP.	PAYMENTS	Rs. nP.	Rs. nP.
To Opening balance	1,68,681·61		I. <i>Administration</i>		
To Advances recoverable	547·89	1,69,229·50	Pay of staff	16,500·90	
To Transfer from Part I Regular		2,14,207·51	D.A.	5,417·42	
			House Rent Allowance	933·07	
			Travelling Allowance	466·05	
			Medical attendance	39·76	
			I.C.Coc. C. Provident Fund Contribu- tion	5,868·00	29,225·20
			II. <i>Agricultural Research</i>		
			A. <i>Research Stations</i>		
			(i) <i>Central Coconut Research Station, Kasaragod.</i>		
			Recurring Expenditure :		
			Pay of officers and staff	49,950·78	
			Dearness Allowance	15,010·14	
			Travelling Allowance	3,194·04	
			Farm Working Expenses	34·10	
			Apparatus and Materials	40·98	
			Office Contingencies	1,008·14	
			I.C.Coc. C. Provident Fund Contribution	6,696·00	75,934·18
			(ii) <i>Central Coconut Research Station, Kayangulam.</i>		
			Recurring Expenditure:		
			Pay of Officers and staff	44,916·81	
			Dearness Allowance	13,300·49	

Receipts	Rs. nP.	Payments	Rs. nP.
		Travelling Allowance	1,404.33
		Medical Attendance	28.09
		Other Charges	1,498.38
		Cultivation Charges	81.00
		Manures & Chemicals	991.77
		Miscellaneous Expenses	4,239.62
		I. C. C. C. Provident Fund Contribution	5,952.00
			<u>72,412.49</u>
		<i>Marketing & Economic Surveys</i>	
		Compilation & analysis of data	
		Pay of officers and staff	11,336.71
		Dearness Allowance	2,326.74
		House Rent Allowance	371.10
		Travelling Allowance	1,267.15
		Leave Salary & Pension Contribution	3,125.20
		Books & Periodicals	87.80
		Office Contingencies	151.34
		Scheme for the revision of the Report on the Marketing of coconuts in India	9,451.60
			<u>28,117.64</u>
		<i>B. Grant-in-aid Schemes</i>	
		Regional Coconut Research Station in Madras	4,188.00
		Scheme for the control of Anab Roga of coconut in Mysore	4,000.00
			<u>8,188.00</u>
		Refund of unspent balance of Central Grant to the Government of India	1,69,229.50
		<i>Advances recoverable</i>	
		Caution money Deposit	50.00
		Central Coconut Research Station, Kasaragod—contingent advance	280.00
			<u>330.00</u>
TOTAL	3,83,437.01	TOTAL	3,83,437.01

RECEIPTS AND PAYMENTS ACCOUNT OF THE INDIAN CENTRAL COCONUT COMMITTEE FOR THE YEAR ENDED 31ST MARCH 1962.

PART II—THIRD FIVE YEAR PLAN

Receipts		Rs.		nP.		Rs.		nP.		Payments		Rs.		nP.	
To Contribution from Central Government towards Grant		3,20,505'00								<i>Grants-in-aid Schemes.</i>					
										(1) Pilot schemes for the correct estimation of area and yield of coconuts & arecanuts in Madras		15,838'93			
										(2) Do. Mysore		31,200'00			
										(3) Do. Assam		29,300'00			
										(4) Do. Andhra Pradesh		19,600'00			
										(5) Do. Bombay		22,900'00			
										(6) Do. Kerala		37,550'00			
										(7) Do. Orissa		9,355'00		1,65,743'93	
										Enquiry into cost of cultivation of coconuts in Kerala State				63,588'00	
										<i>Miscellaneous</i>					
										Scheme for the establishment of Parasite Breeding Station, Madras State				927'00	
										Scheme for the investigation of Nephantia serinopa in Mysore State				6,259'74	
										Central Coconut Research Station, Kasaragod.					
										Buildings, Residential and Non-Residential		50,813'00			
										Closing Balance		33,173'33			
TOTAL Rs.		3,20,505'00								TOTAL Rs.		3,20,505'00			

Verified and found correct subject to the remarks in the Inspection Report.

Sd/- Accountant,
Indian Central Coconut Committee,
Ernakulam

Sd/- Secretary,
Indian Central Coconut Committee,
Ernakulam

Sd/- Accountant General
Kerala

Sd/- Asstt. Accounts Officer,

I have examined the foregoing Accounts of the Indian Central Coconut Committee, Ernakulam and obtained all the information and explanations that I have required and subject to the observations in the separate Audit Report, I certify, as a result of my audit, that in my opinion these accounts are properly drawn up so as to exhibit a true and fair view of the state of affairs of the Committee according to the best of my information and explanations given to me and as shown by the books of Committee.

Sd/- K. A. Ramakrishnan,
Assistant Accounts Officer.

Sd/- T. N. Kuriakos,
Accountant General.
27-5-63.

[No. 7-45-63-COM-I.]

N. K. Dutta
Under Secy.

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 2nd March, 1964

S.O. 854.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to the Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21st days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority—Special Land Acquisition Officer, C/o. Indian Refineries Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar			District—Monghyr			Thana—Chakai		
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre			
Mahapur No. 3 . . .	1328	0.005		4068	2.29			
	1318	0.10		4077	6.685			
	1303	0.12		2A	0.07			
	1302	0.02		2B	0.10			
	1214	0.02		5	0.10			
	1212	0.015		11	0.09			
	1207	0.01		16	0.06			
	1205	0.09		20	0.18			
	1198	0.025		20	0.33			
	1185	0.16						
	1183	0.01		238				
	1186	0.005		235	0.26			
	2314	0.02		29	0.08			
	2309	0.005		30	0.31			
	2297	0.02		83	0.105			
	2258	0.07		62	0.13			
	102	0.19		187	0.04			
	3018	0.085		195	0.01			
	3032	0.06		286	0.02			
	3027	0.04		295	0.095			
	3053	0.01		302	0.01			
	2834	0.01		323	0.02			
	2644	0.08		327	0.01			
	2627	0.01		400	0.015			
	2593	0.065		405	0.02			
	2483	0.11		402	0.02			
	2411	0.10		232	0.13			
	2408	0.02		408	0.39			

[No. 31(47)/63-ONG.]

S.O. 855.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to the Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority—Special Land Acquisition Officer, C/o. Indian Refineries Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar

District—Monghyr

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Sewa No. 136	70	0·03		92	0·02
	710	0·035		96	0·025
	1341	0·06		173	0·045
	1557	0·005		172	0·025
	1542	0·005		164	0·02
	1546	0·01		127	0·06
	3222	0·045	Sansarpur No. 124	264	0·005
	3269	0·005		270	0·005
	3249	0·02	Dhamna No. 2 Thana-Chakai		
	3258	0·025		212	0·04
	3330	0·06		164	0·005
	3231	0·045		166	0·025
	3232	0·03		177	0·005
	3322	0·035	Dadpur No. 6 Thana-Chakai		
	727	0·015		410	0·03
	37	0·02		378	0·03
Gangra No. 123	44	0·12		380	0·03
				468	0·17
Ketrunawada No. 125	14	0·03		483	0·045
	20	0·025		431	0·01
	53	0·11		433	0·01
			Sultanpur No. 5 Thana-Chakai		
				22	0·05

[No. 31 (47) /63-ONG-II.]

S.O. 856.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Parauni Refinery in Bihar State to the Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority—Special Land Acquisition Officer, C/o. Indian Refineries Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar			District—Monghyr			Thana—Chakai		
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre			
Bariarpur No. 14	38	0·08	Kolhua No. 11	1522	0·04			
	51	0·035		1523	0·27			
	50	0·02		1729	0·005			
	400	0·125		1728	0·01			
	184	0·02		1735	0·03			
Malepur No. 12	1339	0·03	Achhra No. 19	1739	0·015			
	1327	0·025		1685	0·005			
	1338	0·025		229	0·06			
	1264	0·03		3197	0·016			
	1265	0·025	Katauna No. 22	3148	0·01			
	1469	0·03		3734	0·04			
	1498	0·015		3764	0·02			
	1499	0·025		3744	0·03			
	1111	0·005						
	1506	0·03						

[No. 31(47)/63-ONG-3.]

S.O. 857.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to the Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority—Special Land Acquisition Officer, C/o. Indian Refineries Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar			District—Patna			Thana—Phulwari		
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre			
Budhgawan No. 46	49	0·04		252	0·04			
	54	0·085		253	0·01			
	53	0·07		258	0·21			
	51	0·09		259	0·005			
	46	0·05		266	0·13			
	47	0·135		267	0·075			
	48	0·03		268	0·06			
	41	0·14		270	0·12			
	44	0·015		322	0·03			
	250	0·045		318	0·011			
	251	0·07		319	0·055			

Village with thana	No. Survey No. (Plot No.)	Extent in acre	Village with thana	No. Survey No. (Plot No.)	Extent in acre
Budhgawan No. 46— <i>contd.</i>	317	0·21		74	0·005
	315	0·12		102	0·02
	316	0·02		101	0·06
	310	0·07		100	0·135
	309	0·01		99	0·115
	342	0·035		97	0·555
	339	0·12		89	0·015
	338	0·03		157	0·005
	340	0·025		166	0·07
	341	0·175		253	0·19
	350	0·09			
	348	0·05			
	349	0·125			
Anda No. 44	545	0·005	Mohammadpur Korji No. 41	1	0·08
	613	0·115		2	0·04
	544	0·14		32	0·03
	543	0·275		31	0·10
	541	0·16		26	0·11
	547	0·05		27	0·21
	553	0·01		24	0·065
	554	0·11		23	0·005
	559	0·005		83	0·035
	561	0·095		87	0·005
	589	0·12		88	0·095
	588	0·19		89	0·14
	586	0·015		90	0·01
	557	0·025		91	0·13
	555	0·045		92	0·105
	556	0·09		116	0·005
	558	0·12		115	0·27
Pakauli No. 43	560	0·045		129	0·05
	562	0·04		389	0·01
	278	0·03		397	0·005
	277	0·005		391	0·10
	275	0·16		392	0·065
	274	0·17		394	0·005
	267	0·14		393	0·075
	266	0·005		380	0·225
	265	0·005		384	0·005
	264	0·045		383	0·03
	260	0·05		382	0·10
	259	0·065		381	0·03
	258	0·01		316	0·06
	257	0·10		315	0·005
	256	0·065		310	0·13
	252	0·02		309	0·03
	140	0·04		308	0·055
	139	0·13		311	0·05
	138	0·42		312	0·01
	112	0·03		333	0·03
	108	0·04		335	0·03
	106	0·08		336	0·04
	105	0·07		337	0·05
	104	0·03		338	0·055
	107	0·005		339	0·005
	103	0·035		332	0·01
	69	0·04		340	0·05
	70	0·085		341	0·02
	71	0·075		594	0·085
	72	0·045		652	0·005
	76	0·035		595	0·025
	73	0·075		604	0·01
				593	0·03
				592	0·145

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Mohammadpur	637	0.325		738	0.095
Korji No. 41— <i>contd.</i>	638	0.21		735	0.205
	641	0.25		722	0.185
	640	0.005		731	0.005
	642	0.01		723	0.805
	643	0.11		724	0.055
	644	0.295		703	0.055
	645	0.10		702	0.18
	646	0.20		701	0.11
	647	0.06		700	0.005
	660	0.16		1203	0.36
	659	0.22		1204	0.05
	656	0.085		1205	0.14
	666	0.155		1208	0.005
	768	0.005		1226	0.005
	767	0.15		1227	0.13
	766	0.155		1384	0.005
	755	0.005		1228	0.21
	758	0.345		1229	0.11
	759	0.01		1230	0.15
	754	0.02		699	0.005
	742	0.025		1231	0.005
	741	0.10		334	0.13
	739	0.09			

[No. 31(47)/63-ONG-4.]

S.O. 858.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to the Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority—Special Land Acquisition Officer, C/o, Indian Refineries Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State-Bihar			District—Patna			Thana—Danapur		
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Bari Khagaul No. 49	1280	0.03		1304	0.01			
	1287	0.115		1305	0.005			
	1286	0.095		1309	0.145			
	1285	0.005		1308	0.13			
	1289	0.07		1307	0.015			
	1288	0.01		1328	0.38			
	1296	0.08		1329	0.025			
	1295	0.025		1337	0.155			
	1297	0.09		1540	0.01			
	1303	0.11		1539	0.16			

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Bari Khagaul No. 49— <i>consd.</i>	1538	0.4675		1026	0.01
	1565	0.21		1025	0.02
	1566	0.30		1016	0.21
	1579	0.32	Saidpura No. 51 . .	1017	0.035
	1578	0.045		1014	0.025
	1581	0.13		1015	0.05
	1290	0.005		1005	0.025
				1011	0.16
Saidpura No. 51 . .	110	0.07		1012	0.005
	111	0.19		1010	0.105
	113	0.12		1009	0.02
	105	0.05		989	0.085
	134	0.055		987	0.015
Saidpur No. 51 . .	133	0.12		988	0.14
	1165	0.4975		981	0.145
	492	0.32		980	0.25
	493	0.11		979	0.045
	494	0.16		916	0.035
	837	0.04		917	0.025
	851	0.09		935	0.11
	836	0.16		936	0.045
	835	0.15		927	0.07
	834	0.01		937	0.05
	856	0.10		970	0.015
	860	0.07		968	0.06
	861	0.14		966	0.10
	866	0.115		965	0.12
	859	0.01		964	0.08
	867	0.03		963	0.045
	865	0.015		962	0.09
	868	0.20		961	0.04
	869	0.05		959	0.16
	1041	0.01		960	0.01
	1033	0.03		943	0.15
	1032	0.15		949	0.04
	1035	0.09		944	0.115
	1036	0.04		945	0.05
	1021	0.015		946	0.01
	1030	0.035		940	0.20
	1022	0.045		939	0.04
	1023	0.08		947	0.03
	1024	0.19			

[No. 31(47)/63-ONG-5.]

S.O. 859.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to the Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority—Special Land Acquisition Officer, C/o. Indian Refineries Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar

District —Shahabad

Thana—Shahpur

Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Beha No. 147	370	0.05	Katea No. 149	1350	0.32
	371	0.92		1351	0.09
	383	1.33		1348	0.16
	400	0.38			
	401	0.40		3452	
	402	0.79		1357	0.13
	409	0.02		1358	0.35
	410	0.55		1361	0.03
	415	0.02		1362	0.06
	416	1.94		1363	0.03
	420	0.195		1364	0.05
	420	0.02		1365	0.20
	1366			1370	0.09
	422	0.03		1371	0.11
	423	0.07		1372	0.09
	1153	0.069		1373	0.22
	1154	0.09		1387	0.005
	1185	0.002		1395	0.06
	1155	0.13		1396	0.14
	1156	0.10		1389	0.04
	1157	0.093		1397	0.002
	1158	0.10		1402	0.10
	1159	0.305		1390	0.08
	1160	0.11		1391	0.08
	1161	0.10		1392	0.06
	1162	0.085		1398	0.12
	1163	0.085		1399	0.13
	1164	0.075		1400	0.09
	1165	0.26		1802	0.005
	1166	0.18		1803	0.03
	1373	0.02		1804	0.03
Katea No. 149	1265	0.02		1805	0.14
	1266	0.03		1806	0.08
	1267	0.07		1807	0.18
	1272	0.11		1920	0.09
	1273	0.10		1937	0.29
	1274	0.05		1941	0.029
	1275	0.002		2562	0.325
	1277	0.31		2563	0.17
	1278	0.01		2564	0.10
	1279	0.01		2565	0.13
	1280	0.03		2566	0.12
	1283	0.06		2567	0.07
	1284	0.07		2568	0.21
	1285	0.08		2570	0.18
	1286	0.04		2571	0.17
	1287	0.02		2572	0.18
	1288	0.002		2610	0.24
	1289	0.13		2611	0.22
	1290	0.293		2614	0.11
	1293	0.085		2615	0.16
	1294	0.002		2623	0.02
	1298	0.52		2624	0.17
	1299	0.51		2626	0.09
	1305	0.05		2628	0.19
	1298	0.18		2629	0.17
				2648	0.06
				2649	0.39
				2652	0.002
				2654	0.59
	3451				

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Katea No. 149— <i>contd.</i>	2657	0.10		198	0.045
	2658	0.09		199	0.10
	2659	0.09		200	0.05
	2660	0.09		201	0.25
	2678	0.30		207	0.26
	2679	0.015		208	0.12
	2680	0.25		209	0.09
	2681	0.09		210	0.19
	2682	0.18		213	0.11
	3405	0.66		221	0.13
	3407	0.09		222	0.03
	3410	0.04		234	0.12
	3411	0.10		236	0.14
	3412	0.08		237	0.31
Kuwardah No. 152	232	0.11		238	0.07
	234	0.179		239	0.09
	237	0.05		224	0.09
	238	0.20		326	0.002
	239	0.004		327	0.002
	250	0.10		328	0.02
	251	0.21		329	0.025
	255	0.14		330	0.02
	257	0.26		331	0.055
	319	0.095		332	0.03
	330	0.01		334	0.08
	335	0.08		335	0.10
	336	0.04		509	0.02
	340	0.15		513	0.38
	341	0.13		514	0.54
	343	0.13		515	0.02
	344	0.01		517	0.04
	360	0.32		518	0.15
	361	0.50		519	0.26
	362	0.09		520	0.12
	356	0.14		530	0.28
	349	0.10		531	0.25
	367	0.18		177/553	0.05
	368	0.003	Kauriya No. 155	64	0.17
	369	0.02		65	0.33
	370	0.03		68	0.08
	371	0.28		69	0.13
	373	0.44		71	0.002
	437	0.015		73	0.002
	438	0.05		74	0.01
	439	0.12		76	0.35
	440	0.04		77	0.10
	441	0.13		78	0.20
	442	0.003		79	0.12
	443	0.23		123	0.03
	443/518	0.06		264	0.005
	242	0.13		288	0.09
	243	0.41		289	0.002
Tikhpur No. 153	177	0.002		290	0.26
	179	0.002		299	0.005
	180	0.002		300	0.13
	183	0.002		301	0.04
	184	0.005		302	0.002
	185	0.06		303	0.01
	193	0.06		304	0.03
	194	0.08		305	0.04
	195	0.09		306	0.06
	197	0.08		311	0.02
				313	0.09
				315	0.095

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Kauriya No. 155—contd.	64/753	0·01		420	0·05
	321	0·04		416	0·001
	316	0·12		419	0·001
	320	0·11		421	0·11
	335	0·06		422	0·08
	391	0·08		423	0·18
	392	0·02		424	0·20
	393	0·08		425	0·07
	411	0·13		405	0·001
	413	0·05		473	0·03
	412	0·08		482	0·84
	410	0·03		312	0·09

[No. 31 (47) /63-ONG-6.]

S.O. 860.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to the Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority—Special Land Acquisition Officer, C/o Indian Refineries Limited, P.O. Hathidah, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar			District—Santhal Parganas			Thana—Deoghar		
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Gangti No. 209	742A	0·08		155	0·23			
	742C	0·18		156	0·22			
	221	0·09		151A	0·015			
				151B	0·33			
				151C	0·375			
Chhotamanikpur No. 116.	354	0·01		157	0·25			
	353	0·27		158	0·235			
	352	0·14		159A	0·08			
	348A	0·68		159B	0·08			
	348B	0·26		172	0·003			
	348C	0·59		170	0·12			
	347	0·28		167	0·02			
	293	0·005		165	0·05			
	345	1·00		219	0·17			
				218	0·04			
Badladih No. 117	8	0·39						
	9	0·06	Khawasdih No. 121	28	0·04			
	152	0·04		27A	0·64			
	153	0·09		27B	0·26			
	154	0·195		27C	0·15			

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Khawasdih No. 121— <i>contd.</i>	12	0·09		114	0·32
	13	0·705		117	0·09
	7	0·315		118	0·17
	16	0·22		119	0·045
	3	0·29		120	0·315
	1	0·19		121	0·43
	96A	0·51		122	0·155
	96B	0·035		126	0·025
	94	0·10		127	0·03
	95	0·515			

[No. 31(47)/63-ONG-7.]

New Delhi, the 4th March 1964

S.O. 861.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2039 dated 29th July, 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar

District—Monghyr

Thana—Lakhisarai

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Ghosikundi No. 84	19	0·03		254	0·03
	300	0·035		251	0·195
	297	0·24		249	0·065
	298	0·08		827	0·125
	313	0·025		830	0·135
	338	0·025		831	0·15
	294	0·04		834	0·34
	293	0·035		835	0·54
	292	0·12		837	0·055
	290	0·06		838	0·04
	289	0·17		811	
	282	0·13		920	0·71
	280	0·13		811	
	277	0·19		921	0·345
	276	0·265			
	255	0·025		811	
	822	0·025		922	0·06
	253	0·23			

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Surve No. (Plot No.)	Extent in acre
Ghosikundi No. 84— <i>contd.</i>	84I	0·03		705	0·07
				704	0·07
Mohankundi No. 81 .	80I	0·50		703	0·125
	799	0·015		719	0·005
	804	0·32		720	0·03
	704	0·10		702	0·05
	807	0·495		701	0·005
	701	0·055		742	0·15
	811	0·06		741	0·01
	687	0·02		743	0·15
	686	0·685		745	0·20
	684	0·005		746	0·25
	682	0·09		747	0·03
	680	0·07		759	0·19
	679	0·17		757	0·18
	675	0·50		756	0·08
	676	0·02		755	0·01
	677	0·045		754	0·17
	672	0·32		753	0·12
	420	0·27		752	0·09
	662	0·47		751	0·12
	661	0·10		774	0·07
	663	0·11		777	0·07
	664	0·13		781	0·11
	822	0·09		778	0·16
	823	0·14		863	0·37
	824	0·03	Bhinka No. 35 .	612	0·345
	830	0·075		613	0·085
	829	0·20		614	0·06
	828	0·165		909	0·045
	831	0·08	Gohri No. 65 . .	81	0·17
	832	0·05		83	0·04
	833	0·08		79	0·14
Raikundi No. 82 .	40	0·095		80	0·01
	41	0·36		62	0·10
	53	0·36		53	0·04
	52	0·175		52	0·04
	63	0·14		41	0·02
	64	0·06		40	0·46
	65	0·11		42	0·20
	78	0·025		43	0·01
	77	0·10		45	0·47
	70	0·21		779	0·05
	69	0·125		778	0·13
	71	0·17		780	0·10
	72	0·135		783	0·08
	73	0·15		784	0·05
Khutupar No. 78 .	663	0·04		782	0·14
	669	0·005		786	0·06
	670	0·06		749	0·05
	671	0·09		787	0·005
	678	0·015		748	0·21
	673	0·05		747	0·05
	672	0·06		793	0·08
	674	0·05		792	0·07
	675	0·09		797	0·06
	677	0·17		794	0·13
	682	0·77		796	0·03
	650	0·43		795	0·06
	685	0·04		987	0·01
	686	0·16		994	0·11
	687	0·17		990	0·04
	688	0·05		989	0·01
	706	0·08		991	0·19

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Gohri No. 65— <i>contd.</i>	993	0·03	Balahpur No. 62— <i>contd.</i>	23	0·07
	1002	0·01		24	0·09
	1003	0·13		27	0·025
	1004	0·12		25	0·01
	1014	0·34		26	0·09
	1046	0·22		29	0·015
	1045	0·04		30	0·06
	1042	0·02		31	0·195
	1040	0·07		175	0·13
	1041	0·03		212	0·005
	1037	0·14		207	0·035
	1033	0·37		176	0·005
	1081	0·08		205	0·025
	1030	0·05		206	0·07
	1085	0·02		209	0·015
	1080	0·01		204	0·06
	1082	0·005		203	0·02
	1083	0·20		201	0·105
	1084	0·04		202	0·07
	1090	0·14		196	0·06
	1091	0·03		197	0·08
	1092	0·18		187	0·09
	1037	0·02		186	0·02
				272	0·14
Dharampur No. 67	122	0·04		271	0·025
	121	0·045		273	0·075
	123	0·02		279	0·02
	124	0·19		520	0·005
	977	0·25		519	0·22
	978	0·02		527	0·03
	979	0·14		528	0·19
	1023	0·15		517	0·26
	1012	0·05		543	0·035
	1011	0·32		515	0·005
	1010	0·045		516	0·04
	1015	0·21		531	0·01
	1016	0·025		536	0·15
				535	0·03
Balahpur No. 62	15	0·02		537	0·37
	16	0·10		538	0·02
	17	0·11		539	0·02
	13	0·02		549	0·04
	19	0·20		551	0·03
	11	0·03			

[No. 31(47)/63-ONG.]

S.O. 862.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 218 dated 9th January, 1964 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right

of user in the said lands, shall, instead of vesting in the Central Government vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

STATE—GUJARAT

DISTRICT—BARODA

TALUKA—PADRA

Village	Survey No.	acre	Gunthys	Sq. Yds.
Gaya]	644/1	0	3	10
"	643	0	6	21
"	640	0	12	41
"	639	0	10	73
"	638	0	2	19
"	637	0	8	74
"	647	0	2	7
"	648	0	11	84
"	Road bet. S. No. 648 & 650	0	1	1
"	650	0	9	0
"	635	0	3	117
"	652	0	26	90
"	658	0	19	97
"	Road bet. S. No. 667 & 658	0	1	73
"	667	0	24	83
"	669	0	17	43
"	670	0	7	9
"	671/1	0	7	9
"	671/2	0	2	11
"	Kans bet. S. No. 671/2 &			
"	501/1	0	5	118
"	501/1	0	4	45
"	497	0	9	117
"	498	0	2	68
"	Road bet. S. No. 498 & 474/2	0	3	10
"	474/2	0	3	42
"	496	0	0	92
"	474/1	0	16	55
"	475	0	5	17
"	476	0	10	34
"	477	0	26	35
"	478	0	20	69
"	458	0	0	100
"	457/1	0	8	28
"	Road bet. S. No. 457 & 423	0	5	17
"	422	0	0	100
"	423	0	25	86
"	427/1	0	19	19
"	427/2	0	7	24
"	432	0	8	28
"	433	0	15	52
"	434/1	0	0	71
"	Road bet. S. No. 433 & 396	0	8	32
"	396	0	20	69
"	395	0	6	21
"	Road bet. Simada of Darapura	0	1	35
"	424	0	0	15
Sangma	Road bet. Simada of Sokheda	0	1	3
"	49	0	19	42
"	47/1	0	11	109
"	47/2	0	4	14
"	Road bet. S. No. 47/2 & 51	0	0	113
"	Railway	0	5	45
"	Road bet. S. No. 42 & 57	0	0	57
"	43	0	0	64
"	42	0	0	28
"	57	0	20	38
"	58/1	0	9	116

Village	Survey No.	Acre	Guntha	Sq. Yds.
Sangma	60	0	13	107
"	63	0	14	35
"	64	0	1	8
"	62	0	21	103
"	Road bet. S. No. 62 & 100	0	2	100
"	100	0	20	100
"	99	0	3	96
"	98	0	20	22
"	102	0	0	11
"	96	0	15	16
"	94	0	1	70
"	95	0	16	55
"	93	0	12	41
"	92	0	10	34
"	91/1	0	1	3
"	Road bet. S. No. 98 & 92	0	1	107
"	87	0	0	90
"	88	0	3	99
"	89	0	5	17
"	82	0	14	9
"	Rd. bet. S. No. 82 & 111	0	1	35
"	111/1	0	19	65
"	112	0	16	48
"	113/1	0	0	18
"	114/3	0	15	52
"	51	0	6	74
Sokhada Khurd	Rd. bet. Simada of Sangma	0	1	3
"	485	0	25	33
"	486	0	18	0
"	487 & 488	0	17	90
"	Rd. bet. S. No. 457 & 488	0	5	17
"	459	0	15	90
"	460	0	30	103
"	457	0	15	52
"	500	0	0	18
Darapara	Road V.P.	0	1	35
"	328/2	0	10	66
"	340	0	5	33
"	341	0	20	69
"	Road V.P. between 336 & 345	0	2	69
"	345/1	0	11	23
"	345/2	0	1	109
"	345/4	0	10	104
"	346	0	4	14
"	Rd. bet. S. No. 346 & 406	0	3	104
"	406	0	22	76
"	407	0	8	28
"	405	0	20	108
"	401	0	6	21
"	412	0	2	7
"	399	0	11	56
"	413/1	0	2	78
"	414/2	0	8	43
"	417	0	3	13
"	415	0	11	108
"	416	0	13	115
"	426	0	11	23
"	Road V.P. S. No. 426 & 455	0	1	81
"	455	0	12	41
"	452	0	13	14
"	551	0	11	100
"	453	0	11	106

Village	Survey No.	Acre	Guntha	Sq. Yds.
Sarasavani	625/1	0	0	112
"	626	0	2	16
"	627	0	2	108
"	628	0	17	43
"	629/1	0	3	104
"	629/2	0	4	27
"	636	0	17	43
"	637	0	8	43
"	638	0	7	71
"	639	0	8	92
"	640	0	8	98
"	641	0	14	95
"	642	0	0	23
"	743	0	8	12
"	744	0	8	43
"	745	0	7	70
"	746	0	2	100
"	747	0	3	74
"	748	0	6	93
"	749	0	8	46
"	750	0	2	8
"	751	0	3	10
"	752	0	18	66
"	769	0	16	102
"	756	0	10	88
"	758	0	3	112
"	760	0	4	90
"	759	0	8	103
"	763	0	9	78
"	764	0	9	62
"	770/1	0	1	107
"	805	0	18	62
"	806	0	10	27
"	807	0	10	3
"	808	0	9	78
"	809	0	9	78
"	823	0	0	55
"	865	0	7	73
"	813	0	9	22
"	822	0	15	74
"	864	0	17	4
"	878	0	21	103
"	879	0	14	55
"	859	0	0	80
"	880	0	9	4
"	881	0	14	2
"	882	0	15	59
"	883	0	18	8
"	Panchayat Road bet. S. No. 883 & 925	0	1	3
"	925	0	8	20
"	926	0	4	44
"	922	0	11	77
"	921	0	13	105
"	917	0	1	119
"	918/1	0	13	76
"	Panchayat Road	0	3	80
"	984	0	19	7
"	985	0	7	110
"	Panchayat Road between 985 & 1256	0	1	35
"	1256	0	5	17
"	1254	0	10	81
"	1252	0	8	66

Village	Survey No.	Acre	Guntha	Sq. Yds.
Sarasavani	1253/1	0	1	119
"	1253/2	0	7	81
"	1246	0	7	47
"	1238	0	12	41
"	1245	0	7	63
"	1244	0	0	53
"	1241	0	0	117
"	1240	0	19	90
"	Panchayat Road between 1240 & 1212	0	1	35
"	1212	0	21	120
"	1208/2	0	9	15
"	1208/1	0	7	71
"	1204	0	15	5
"	1203	0	11	109
"	1202	0	1	107
"	1198	0	17	97
"	1196	0	9	111
"	1195	0	0	53
"	Panchayat Road	0	15	83
"	1341	0	0	96
"	Panchayat Road between 1341 & 1353	0	0	40
"	1353	0	6	36
"	1354/3	0	6	52
"	1354/1	0	0	77
"	1355	0	5	95
"	1356	0	6	83
"	1359	0	6	36
"	1360	0	17	80
"	1361	0	1	70
"	1362	0	10	30
"	919	0	0	78
"	1213	0	0	21
"	1232/2	0	2	97
"	1255	0	13	55
Goriad	527	0	5	41
"	526	0	11	38
"	525	0	16	86
"	523	0	17	53
"	522	0	2	47
"	516	0	20	67
"	517	0	12	112
"	519	0	10	12
"	520/2	0	2	42
"	Panchayat Road between 520/2 & 449	0	2	67
"	449	0	10	34
"	448	0	25	47
"	434	0	12	52
"	435	0	8	35
"	429/1	0	5	79
"	430/1	0	9	31
"	432	0	8	27
"	Panchayat Road between 432 & 21/2	0	5	95
"	21/2	0	16	40
"	21/3	0	15	52
"	20	0	13	6
"	28/1	0	1	39
"	29	0	9	101
"	30	0	12	26
"	31	0	10	81

Village	Survey No.	Acre	Guntha	Sq. Yds.
Goriad	32	0	7	110
"	Panchayat Road between 32 & 77/1	0	1	3
"	77/1	0	3	99
"	77/2	0	6	21
"	78	0	2	75
"	75/7A	0	22	100
"	75/8	0	1	12
"	75/1	0	7	20
"	75	0	10	34
"	Panchayat Road between 75 & 173	0	2	67
"	173	0	5	95
"	174/2	0	11	2
"	174/1	0	0	80
"	175	0	7	70
"	172	0	1	39
"	171	0	5	17
"	180/2	0	7	58
"	180/1	0	2	17
"	180/3	0	0	28
"	181	0	14	7
"	182	0	0	55
Medhad	Panchayat Road	0	2	7
"	"	0	2	30
"	352	0	0	78
"	354	0	5	25
"	355	0	10	89
"	356	0	5	87
"	357	0	16	122
"	358	0	0	78
"	380	0	14	56
"	381	0	4	84
"	382 Paiki	0	9	23
"	383 Paiki	0	10	120
"	383/1	0	8	43
"	384/1	0	0	117
"	387/2	0	2	2
"	387/1	0	4	28
"	384/2	0	4	106
"	385	0	0	21
"	386	0	4	110
Kothavada River		0	8 90 (Dhadhar)	
"	18	0	3	46
"	14	0	12	104
"	15	0	10	77
"	16	0	17	35
"	11	0	11	30
"	24	0	8	3
"	26	0	2	94
"	27	0	17	63
"	28/1	0	8	82
"	28/2	0	8	4
"	28/3	0	2	2
"	35	0	6	77
"	190/1	0	15	52
"	72/1	0	9	23
"	72/2	0	16	117
"	73	0	13	60
"	74/2A	0	4	86
"	74/2B	0	14	15
"	190	0	11	69
"	190/3	0	3	19
"	190/4	0	14	78
"	113/1	0	19	104

Village	Survey No.	Acre	Guntha	Sq. Yds.
Kothavada River-- <i>contd.</i>	113/2	0	19	58
" " " " "	118	0	22	6
" " " " "	125	0	1	35
" " " " "	120/1	0	22	37
" " " " "	124	0	9	92
" " " " "	121	0	22	68
" " " " "	122	0	0	56
Husepur	34	0	1	15
" " " " "	33/3	0	21	103
" " " " "	33/2	0	15	40
" " " " "	32	0	23	40
" " " " "	74	0	17	74
" " " " "	75	0	3	39
" " " " "	73	0	9	12
" " " " "	78	0	17	35
" " " " "	Panchayat Road between 78 & 144	0	2	30
" " " " "	144	0	3	28
" " " " "	143	0	10	34
" " " " "	142	0	14	33
" " " " "	141	0	15	83
" " " " "	140/2	0	7	56
" " " " "	136	0	1	55
" " " " "	137	0	13	42
" " " " "	134	0	2	144
" " " " "	5	0	5	17
" " " " "	210	0	19	78
" " " " "	209/2	0	6	75
" " " " "	213	0	6	75
" " " " "	214	0	9	117
" " " " "	Panchayat Road between 214 & 513	0	1	3
" " " " "	513	0	3	41
" " " " "	512	0	19	34
" " " " "	510	0	24	98
Amla	Panchayat Road	0	1	35
" " " " "	"	0	2	7
" " " " "	116	0	5	17
" " " " "	118	0	12	72
" " " " "	117	0	6	37
" " " " "	Kotar between 117 & 86	0	10	34
" " " " "	86	0	0	106
" " " " "	87/1	0	23	84
" " " " "	109/1	0	9	62
" " " " "	108	0	3	49
" " " " "	107	0	5	17
" " " " "	104	0	9	109
" " " " "	103	0	9	39
" " " " "	102	0	9	39
" " " " "	101	0	9	15
" " " " "	100	0	9	70
" " " " "	98	0	16	10
" " " " "	99	0	0	92
" " " " "	130/20	0	11	18
" " " " "	130/19	0	2	16
" " " " "	172	0	9	0
" " " " "	Panchayat Road	0	2	30

[No. 31(38)/63-ONG.]

New Delhi, the 5th March 1964

S.O. 863.—Whereas by a Notification of the Government of India in the Ministry of Mines and Fuel, S.O. No. 2499, dated 22nd August, 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention

to acquire the right of user in the lands specified in the Schedule appended to that Notification for the purpose of laying pipelines;

And, whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this Notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this Notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State : West Bengal Distr. : Hooghly

Tehsil/Thana : Khana Kul

Village	Survey Nos. (Plot Nos.)	Extent (Area)	Village	Survey Nos. (Plot Nos.)	Extent (Area)
Chakmagri, J.L. 146	482	.03		3476	.02
	483	.08		3498	.05
	484	.005		3500	.04
	485	.12		3501	.02
	489	.01		3502	.02
	490	.40		3503	.14
	491	.01		3504	.05
	514	.05		3505	.05
	515	.15		3671	.26
	516	.08		3672	.19
	518	.15		3675	.12
	519	.13		3676	.19
	520	.13		3678	.28
	521	.20		3679	.14
	527	.005		3688	.05
	544	.36		3689	.22
	545	.12		3692	.30
	546	.33		3714	.72
	547	.15		3715	.72
	558	.27			
	624	.26		3717	.01
	625	.01		3718	.16
Mostafapur, J.L. 145	3390	.07		3793	.40
	3400	.01		3794	.42
	3401	.04	Palaspai, J.L. 143	1410	.10
	3402	.03		1412	.15
	3403	.17		1499	.08
	3404	.14		1500	.04
	3406	.02		1501	.02
	3410	.10		1503	.08
	3411	.27		1504	.01
	3412	.14		1507	.02
	3413	.01		1508	.01
	3416	.70		1509	.005
	3417	.02		1510	.15
	3418	.08		1511	.05
	3419	.005		1605	.05
	3471	.10		1606	.02
	3472	.10		1607	.15
	3473	.38		1613	.15

Village	Survey Nos. (Plot Nos.)	Extent (Area)	Village	Survey Nos. (Plot Nos.)	Extent (Area)
Palaspai, J.L. 143— <i>contd.</i>	1615	.10		1915	.10
	1616	.10		1916	.10
	1617	.02		1917	.12
	1618	.10		1918	.03
	1619	.12		1919	.04
	1620	.02		1920	.03
	1633	.01		1923	.10
	1634	.01		1924	.15
	1637	.10		1925	.01
	1638	.10	Hayatpur J.L. 70 (Contd).	1927	.10
				1928	.10
				1929	.10
				1958	.03
	1639	.10		1959	.18
	1640	.02		1960	.10
				1961	.01
	1661	.01		1962	.005
	1662	.03		1977	.04
	1663	.05		1978	.23
	1664	.02		1979	.01
	1665	.02		1980	.02
	1666	.03		1981	.10
	1668	.005		1984	.12
	1669	.06		2036	.02
	1670	.05		2039	.03
	1671	.06		2046	.14
	1675	.04		2047	.11
	1676	.08		2048	.03
	1677	.02		2066	.04
	1679	.01		2068	.05
	1680	.10		2069	.03
	6181	.01		2070	.12
	1688	.05		2071	.10
	1689	.10		2072	.08
	1690	.03		2073	.32
	1691	.05		2087	.32
	1692	.08		2088	.13
	1693	.10		2089	.005
	1699	.15		2092	.20
	1700	.02		2093	.02
	1811	.08		2102	.02
				2133	.04
	1929	.02		2149	.02
	2135	.005		2150	.01
	2145	.005		2151	.01
				2152	.03
Hayatpur, J.L. 70	1890	.01	Kotasia, J. L. 147	2	.46
	1892	.18		3	.12
	1894	.02		4	.39
	1914	.19		5	.10

[No. 31(33)/63-ONG.]

New Delhi, the 6th March, 1964.

S.O. 864.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Ankleshwar Oil field in Gujarat State to Uttran in Gujarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto:

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority at Lalitichandra Maganbhai Patel's Bldg., 4th Floor, Sayaji Ganj, Lokmanya Tilak Road, Baroda, in the office of the Gujarat Pipeline Project (Oil and Natural Gas Commission). Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State	District	Taluka		
GUJARAT	SURAT	CHRIASI		
Village	Survey No.	Acre	Guntha	Sq. Yds.
Uttran	95 Paiki	0	18	95

[No. 31/38/63-ONG.]

S.O. 865.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from drill sites to collecting stations within the Ankleshwar Oil field in Gujarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of pipelines under the land to the Competent Authority at Elempeco Building, 4th Floor, Sayaji Ganj, Baroda in the office of the Gujarat Pipeline Project, Oil and Natural Gas Commission. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State	District	Taluka
GUJARAT	BROACH	ANKLESHWAR
Village	Survey No.	Area required in Gunthas
Adol	286	2.5
"	288	1.0
"	376(1)	0.5
"	375	0.5
"	299	2.5
"	289 (2)	2.5
"	288	1.5
"	286	2.0
"	259 (1)	3.0
"	262	2.0
"	261	2.0
"	265	3.0
"	281	3.0
"	284	1.5
"	285	0.5

Village	Survey No.	Area required in Gunthas.
Adol	286	0.5
"	36	0.5
"	22 (1)	0.8
"	22 (2)	0.4
"	21	3.2
"	19	2.5
"	17	2.5
"	263	1.2
"	264	3.0
"	282	0.2
"	283	1.5
"	284	2.0
"	286	0.7
"	232	0.5
"	234 (1)	3.0
"	234 (2)	2.7
"	241	2.5
"	242 (2)	4.0
"	242 (1)	2.5
"	253 (1)	2.5
"	253 (2)	0.7
"	251 (1)	2.0
"	266	2.0
"	265	2.5
"	281	1.7
"	280 (1)	3.0
"	280 (2)	0.2
"	280 (3)	1.0
"	285	0.5
"	4	1.0
"	283	0.5
"	284	1.0
"	286	2.5
"	10	1.0
"	284	1.0
"	286	1.0
"	20	1.5
"	19	2.0
"	17	2.5
"	263	0.5
"	264	3.0
"	282	2.5
"	283	0.2
"	284	1.5
"	286	2.0
"	286	0.2
"	286	1.5
"	283	1.5
"	284	1.0
"	V. P. 2nd	2.2
"	304	1.5
"	294	1.5
"	295	3.5
"	293 (3)	1.5
"	275	4.5
"	276	1.5
"	277	2.0
"	285	0.6
"	268	4.0
"	279	2.0
"	280 (3)	1.0
"	280 (4)	0.7
"	280 (1)	0.7
"	285	1.0
"	278	2.0
"	277	0.5
"		0.7

Village	Survey No.	Area required in Gunthas
Adol	285	3.2
"	307	1.0
"	303	0.2
"	302	2.0
"	296	3.3
"	292 (1)	1.8
"	292 (2)	2.2
"	292 (3)	1.0
"	291	2.2
"	286	2.0
"	207	0.3
"	206	4.0
"	255	0.5
"	256	0.6
"	254	3.6
"	261	3.0
"	265	2.7
"	281	3.0
"	284	{ 0.6 1.0
"	285	0.6
"	244	0.5
"	242 (2)	0.6
"	253 (1)	1.0
"	253 (2)	1.3
"	251 (2)	2.0
"	251 (4)	0.5
"	266	4.3
"	281	3.1
"	280 (2)	0.6
"	280 (4)	0.2
"	280 (1)	0.5
"	285	1.0
"	285	3.5
"	277	1.0
"	278	0.5
"	275	3.1
"	273	3.0
"	274	3.5
"	V. P. 2nd	1.0
"	285	4.0
"	277	0.7
"	276	1.5
"	275	1.5
"	293 (3)	1.5
"	V. P. 2nd	1.0
"	V. P. 2nd	1.0
"	272	3.5
"	270	2.0
"	278	3.0
"	277	1.0
"	285	4.0
"	285	1.3
"	280 (3)	0.5
"	280 (4)	1.0
"	280 (1)	1.7
"	278	0.2
"	279	1.0
"	268	1.0
"	269 A	1.6
"	269 B	2.7
"	285	3.0
"	276	3.0
"	293 (3)	3.0
"	293 (2)	2.8
"	295	2.5

Village	Survey No.	Area required in Gunthas.
Adol	303(2)	2.5
"	306	2.2
"	304 (1)	3.2
"	304 (2)	0.2
"	305 (2)	2.5
"	305 (1)	
"	320 (1)	0.7
"	248	1.5
"	245	0.3
"	247	1.5
"	250	3.8
"	250	2.2
"	267	1.0
"	266	0.3
"	279	3.0
"	281	2.4
"	280 (3)	0.2
"	280 (2)	1.0
"	280 (4)	0.5
"	280 (1)	1.0
"	285	0.6
Hajat	107	3.1
"	98	2.5
"	V. P. 2nd	1.0
"	66	0.5
"	93 a & b	1.5
"	V. P. 2nd	2.0
"	97	3.0
"	98	3.0
"	99	0.3
"	102	1.0
"	62 or 67	1.5
"	66	0.5
"	38	3.7
"	37	1.2
"	36	0.7
"	109	1.1
"	110	3.2
"	111	0.3
"	V. P. 2nd	1.5
"	35	3.8
"	32	0.1
"	33	1.3
"	34 a & b	1.7
"	14	3.5
"	15 a & b	1.5
"	17	0.6

[No. 31/67/63-ONG.]

B. SUBBA RAO, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 3rd March 1964

S.O. 866.—The following draft rules further to amend the Drugs Rules, 1945, which the Central Government, after consultation with the Drugs Technical Advisory Board propose to make in exercise of the powers conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940) is published, as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after the 15th April, 1964.

Any objections or suggestions which may be received from any person with respect to the said draft rules before the date so specified will be considered by the Central Government:—

Draft Rules

1. These rules may be called the Drugs (Amendment) Rules, 1964.

2. In the Drugs Rules, 1945, in sub-rule (1) of rule 96, after clause (vi), the following clause shall be inserted; namely:—

“(vii) Every drug intended for distribution to the medical profession as a free sample shall be presented in a packing which shall be distinct from the packing meant for the trade. The words ‘PHYSICIAN’S SAMPLE—NOT FOR SALE’ shall be overprinted on the label.”

3. In the Drugs Rules, 1945, in Schedule K, after item 13 and the entries relating thereto the following item and entries shall be inserted, namely:—

“16 Ophthalmic ointments of the Tetracycline groups of drugs.

Persons authorised by Government to distribute or sell the drugs under the Trachoma Control Pilot Project shall be exempted from the provisions of Chapter IV of the Act and the Rules made thereunder which require them to be covered by a sale licence.”

[No. F. 1-21/63-D.]

BASHESHAR NATH, Under Secy.

New Delhi, the 5th March 1964

S.O. 867.—In exercise of the powers conferred by section 3 of the Delhi Development Act, 1957 (61 of 1957) the Central Government hereby nominates Shri C. S. Gupte, Architect, Town and Country Planning Organisation, as a member of the Delhi Development Authority and makes the following further amendments in the notification of the Government of India in the Ministry of Health No. 12-173/57-LSG, dated the 30th December, 1957, namely:—

In the said notification for items 9 and 10 and the entries relating thereto, the following items and entries shall be substituted, namely:—

- “9. Shri Ghan Prakash,
Joint Secretary,
Ministry of Health.
- 10. Shri Gajraj Singh,
President,
New Delhi Municipal Committee.
- 11. Shri C. S. Gupte,
Architect,
Town and Country Planning
Organisation.

Members (nominated by the Central Government)”

[No. F.10-7/62-L.S.G.]

P. L. GUPTA, Under Secy.

New Delhi, the 7th March 1964

S.O. 868.—Dr. D. C. Miglani, B.Sc., B.D.S., M.S.D., Professor of Dental Surgery, Dental Wing, Madras Medical College, Madras, having been elected as a member of the Dental Council of India under clause (c) of section 3 of the Dentists Act, 1948 (16 of 1948) with effect from the 29th January, 1964 vice Dr. H. D. Merchant, the Central Government hereby makes the following further amendment in the

notification of the Government of India in the Ministry of Health No. F. 3-2/62-MII, dated the 17th October, 1962, namely:—

In the said notification, in the entries under the heading "Elected under sub-section (c) of section 3", for the existing entry against serial No. 4, the following entry shall be substituted, namely:—

"Dr. D. C. Miglani,
B.Sc., B.D.S., M.S.D.,
Professor of Dental Surgery, Dental Wing,
Madras Medical College, Madras."

[No. F. 3-9/64-MPT.]

B. B. L. BHARADWAJ, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

New Delhi, the 5th March 1964

S.O. 869.—In exercise of the powers conferred by section 63C of the Motor Vehicles Act, 1939 (4 of 1939), the Central Government hereby makes the following rules, to amend the Inter-State Transport Commission Rules, 1960, the same having been previously published as required by sub-section (1) of section 133 of the said Act.

THE INTER-STATE TRANSPORT COMMISSION (AMENDMENT) RULES, 1964

1. These rules may be called the Inter-State Transport Commission (Amendment) Rules, 1964.

2. In the Inter-State Transport Commission Rules, 1960 after rule 23, the following rules shall be inserted, namely:—

"24. **Appeals.**—(1) Any person or authority (including Government) aggrieved by a decision, direction or order of the Commission under clause (b) or clause (c) of sub-section (2) of section 63A may, within thirty days from the date on which the decision, direction or order is communicated to such person or authority, prefer an appeal to the Inter-State Transport Appellate Tribunal constituted under rule 25:

Provided that in computing the said period of thirty days, the time taken in obtaining a certified copy of the decision, direction or order shall be excluded:

Provided further that the Tribunal may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

(2) An appeal under this rule shall be forwarded in triplicate in the form of a memorandum setting forth precisely the grounds on which the appellant disputes the decision, direction or order appealed against, and shall be accompanied by a certified copy of the decision, direction or order. It shall be addressed to the Inter-State Transport Appellate Tribunal, C/o Ministry of Transport (Transport Wing), Central Secretariat, New Delhi:

Provided that no Memorandum of Appeal shall relate to more than one case or be signed by or on behalf of more than one party.

(3) The Tribunal shall call for the records of the case and after giving the parties or their authorised representatives a reasonable opportunity to make representations either orally or in writing as the Tribunal may think fit, may confirm, vary or set aside the decision, direction or order appealed against.

25. **Inter-State Appellate Tribunal.**—The Central Government shall, by notification in the Official Gazette, constitute an Inter-State Appellate Tribunal, to hear the appeals referred to in rule 24, consisting of a Chairman and two members (being officers not below the rank of Joint Secretary) to be appointed by that Government."

[No. 41-TAG/1/63.]

K. SRINIVASAN, Dy. Secy.

(Transport Wing)

New Delhi, the 5th March 1964

S.O. 870.—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953) the Central Government hereby appoints, with immediate effect, Air Marshal A. M. Engineer, Chief of Air Staff, as a Member of the Air-India Corporation *vice* Shri L. C. Jain, resigned.

[No. 3-AC(11)/62.]

K. GOPALAKRISHNAN, Dy. Secy.

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 7th March 1964

S.O. 871.—In pursuance of clause (a) of sub-section (1) of Section 283 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby declares that the Government of Democratic and Popular Republic of Algeria has accepted the Safety Convention as defined in clause (37) of section 3 of the said Act, that is to say, the Convention for the Safety of Life at Sea signed in London on the tenth day of June, nineteen hundred and forty-eight as amended from time to time.

[F. No. 46-MA(12)/63.]

D. S. NIM, Dy. Secy.

DEPARTMENT OF POSTS AND TELEGRAPHS

(P. & T. Board)

New Delhi, the 3rd March, 1964.

S.O. 872.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 1st April, 1964 as the date on which the Measured Rate System will be introduced in Adoni Telephone Exchange.

[No. 31/26/63-PHB.]

S. RAMA IYER,
Assistant Director General (PHB).

(P. & T. Board)

New Delhi, the 3rd March 1964

S.O. 873.—In exercise of the powers conferred by section 43 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following rules further to amend the Indian Post Office Rules, 1933, namely:—

1. (1) These rules may be called the Indian Post Office (Second Amendment) Rules, 1964.

(2) They shall come into force on the 1st day of March, 1964.

2. In the Indian Post Office Rules, 1933,—

(i) in rule 117 for the words "by the payee or his authorised agent" the words "by the payee or, as the case may be, his authorised agent" shall be substituted;

(ii) for rules 118 and 119, the following rules shall be substituted, namely:—
"118. The payment of a money order shall ordinarily be made at the address of the payee;—

(i) to the payee himself, where it has been so indicated by the remitter on the money order form;

(ii) in any other case, to the payee or to any person authorised in writing by the payee in this behalf.

119. The money order and acknowledgement shall be signed by the person receiving the remittance, in ink in the space provided for the purpose, before the payment is made to him."

[No. 13/15/63-CI.]

A. V. SESHANNA,
Director Postal Technical.

(Posts & Telegraphs Board)

New Delhi, the 5th March 1964

S.O. 874.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules for recruitment to the posts of Laboratory Technicians in the Posts and Telegraphs Department, namely:—

1. Short title and application.—(1) These rules may be called the Posts and Telegraphs (Laboratory Technicians) Recruitment Rules, 1964.

(2) These rules shall apply in respect of recruitment to the post specified in column (1) of the Schedule annexed to these rules.

2. Classification, scale of pay etc.—The classification of the said post, the scale of pay attached thereto, the method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns (2) to (9) of the said Schedule annexed to these rules:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the general orders of the Central Government, issued from time to time.

3. Disqualification.—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to the said post; and

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has already a wife living at the time of such marriage, shall be eligible for appointment to the said post:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHEDULE

Name of the post.	Classification	Scale of pay	Method of recruitment whether by direct recruitment or by promotion and percentage of vacancies to be filled by various methods.	Age limits	Educational and other qualifications required	Period of probation or trial if any	Scope of service	Composition of Selection Board.
1	2	4	4	5	6	7	8	9
Laboratory Technician	Class III non-gazetted, non-ministerial	Rs. 150—5— 160—EB—8 —280—10— 300	By direct recruitment through the Employment Exchange, and if no suitable candidates are nominated by the Exchange, the posts to be filled by advertisement.	18—25 years on 1st January of the year* of recruitment	Matriculation with diploma in Laboratory Technicians course with at least 2 years' experience in Laboratory work.	Two years.	For service at the particular dispensary for which recruited but liable to be* posted any where in India, if exigencies of service so require.	(1) Appointing authority. (2) Doctor incharge of dispensary concerned. (3) Any officer nominated by the head of the Posts and Telegraphs Circle concerned.

[No. 29/I/NCG.]
A. BHATTACHARJEE,
Asstt. Director General (STN)

MINISTRY OF WORKS, HOUSING AND REHABILITATION**(Department of W. & H.)***New Delhi, the 25th February 1964*

S.O. 875.—In pursuance of the provisions of Rule 45 of the Fundamental Rules the President is pleased to make the following further amendment to the Supplementary Rules issued with the Government of India, Finance Department letter No. 104-CSR, dated the 4th February, 1922, namely:—

In part VIII of the said Rules for Division XXVI-M the following shall be substituted, namely

“Division XXVI-M

S.R. 317-M-1.—(1) The rules in this Division may be called the Allotment of Garages (General Pool in Delhi) Rules, 1964.

(2) These rules shall apply to the allotment of garages to allottees of such residences of Type IV, and Type V to which garages are not attached.

(3) They shall come into force on the 1st day of March, 1964.

S.R. 317-M-2.—In these rules, unless the context otherwise requires.—

(a) ‘allotment’ means the grant of a licence to occupy a garage in accordance with the provisions of these rules:

(b) ‘Director of Estates’ means the Director of Estates to the Government of India and includes an Additional, Deputy and Assistant Director of Estates.

S.R. 317-M-3.—An officer who has been allotted a type IV or Type V residence to which a garage is not attached, and owning a motor car shall be eligible for allotment of a garage in the locality in which his residence is situated.

S.R. 317-M-4.—An officer who desires to be allotted a garage, or who, having been previously allotted a garage which is in his occupation, desires a change, shall apply to the Director of Estates for allotment or for change of allotment, as the case may be, stating the registration number of his motor car.

S.R. 317-M-5.—(1) Waiting lists shall be maintained in the Directorate of Estates separately for each locality showing the names of applicants for allotment of garages in that locality in the order of their priority counted from the date of receipt of each application under S.R. 317-M-4.

(2) Where applications from two or more officers are received on the same date in the Directorate of Estates, priority shall be determined on the basis of the length of stay of the applicants in the locality in which allotment of garages is sought.

(3) Where an officer, who has applied for allotment of a garage in proximity to his flat and has been allotted a garage at longer distance, intimates within seven days of the receipt of the allotment letter that he desires to be allotted another garage in exchange in proximity to his flat, his name shall be retained on the waiting list and he shall count priority from the date of receipt of his original application in the Directorate of Estates:

Provided that a change of garage shall be allowed only once:

Provided further that if an officer does not accept allotment of a garage at a distance of more than half a kilometre from his flat, his refusal shall not affect his position on the waiting list.

(4) An officer who is allotted alternative accommodation in another locality, shall count priority for allotment of garage in that locality from the date on which his application, if any, for allotment of garage in the previous locality was registered in the Directorate of Estates, whether a garage in the previous locality was allotted to him or not.

S.R. 317-M-6.—As soon as a garage falls vacant, the Director of Estates shall allot it to the applicant whose name is first on the waiting list for the locality in which allotment or change of allotment has been sought.

S.R. 317-M-7.—If an officer fails to accept the allotment of a garage within five days or fails to occupy the garage within eight days from the date of receipt of the allotment letter, the allotment shall stand cancelled and the officer shall not be considered for another allotment for a period of six months from that date.

S.R. 317-M-8.—The officer to whom a garage is allotted shall be liable to pay rent therefor from the date of occupation of the garage or the eighth day after the date of receipt of allotment, whichever is earlier.

S.R. 317-M-9.—The allottee shall use the garage for parking his own motor car and for purposes ancillary thereto and for no other purpose and shall not sublet it.

S.R. 317-M-10.—(1) If the officer proposes to dispose of his motor car, he shall give ten days' prior notice to the Director of Estates of that proposal. The allotment of the garage shall stand cancelled with effect from the eleventh day after the notice is received by the Director of Estates or the date on which the officer ceases to own the motor car, whichever is later. If the officer fails to give due notice he shall be responsible for payment of rent for ten days or the number of days by which the notice given by him falls short of ten days, provided that the Director of Estates may accept a notice for a short period.

(2) Notwithstanding anything contained in sub-rule (1), if the officer informs the Director of Estates at the time of disposing of his car, of his intention to purchase another car, he may retain the garage for a period of three months from the date on which he ceased to own the motor car. The allotment of the garage shall stand cancelled on the date of expiry of the said period, if he fails to acquire a car within that period.

(3) An officer who has surrendered a garage in accordance with sub-rule (1) shall, on acquiring another motor car within one year from the date of disposal of the previous car and on making an application to the Director of Estates, be given priority on the basis of the date of receipt of his application for allotment of garage on the previous occasion.

S.R. 317-M-11.—(1) An allotment of a garage made under these rules shall be deemed to be cancelled with effect from the date on which the allotment of the residence in the locality is cancelled or is deemed to be cancelled under the rules applicable thereto or the officer is allotted another residence in a different locality in lieu of such residence, and the garage shall thereupon be vacated forthwith.

(2) If an officer to whom a garage has been allotted commits any breach of the rules in this Division or of the terms and conditions of the allotment or uses the garage or permits or suffers the garage to be used for any purpose which is not permitted by these rules or has knowingly furnished incorrect information in his application to the Director of Estates, the Director of Estates may, without prejudice to any other disciplinary action that may be taken against him, cancel the allotment of the garage and require the officer to vacate the garage forthwith.

S.R. 317-M-12.—Where after an allotment of a garage has been cancelled or is deemed to be cancelled under any provision contained in these rules, vacant possession of the garage is not handed over to the Central Public Works Department, such officer shall be liable to pay by way of damages a rent equal to the amount which would have been realised if the garage had been let out for the period of unauthorised occupation to a private person."

[No. 2/35/61-Acc.I.]

V. P. SUD, Dy. Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 2nd March 1964

S.O. 876.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the States of Gujarat, Maharashtra, Andhra Pradesh, Madras, Mysore and Kerala for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

A SCHEDULE

All properties in the States of Gujarat, Maharashtra, Andhra Pradesh, Madras, Mysore, and Kerala which have vested in the Custodian under section 11 of the Evacuee Interest (Separation), Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act upto 29th February 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 1(27)/Comp.&Prop/61.]

New Delhi, the 4th March 1964

S.O. 877.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Punjab for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

THE SCHEDULE

All properties in the State of Punjab which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act upto 29th February 1964 and in respect of which no appeals have been filed, and if filed, have been rejected by the Appellate Officer (officers) concerned.

[No. 16(18)/58-Prop.II.Comp.]

New Delhi, the 5th March 1964

S.O. 878.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints,

- (a) every Additional Settlement Officer and every Settlement Officer (Sales) in the Rehabilitation Department of the Government of Punjab as an Assistant Settlement Commissioner;
- (b) the Deputy Secretary in the Rehabilitation Department of the Government of Punjab as Settlement Commissioner,

for the purpose of performing the functions assigned to an Assistant Settlement Commissioner or a Settlement Commissioner, as the case may be, by or under the said Act, in relation to the properties referred to in the notification of the Government of India in the Ministry of Works, Housing and Rehabilitation (Department of Rehabilitation) No. 3(37)/L&R/63-A, dated the 5th March, 1964.

[No. 3(37)/L&R/63-B.]

S.O. 879.—In exercise of the powers conferred by clause (a) of sub-section (2) of section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints every person holding the post of a Tehsildar (Sales) or Naib Tehsildar (Sales) in the Rehabilitation Department of the Government of Punjab to be a managing officer for the purpose of performing within his jurisdiction the functions assigned to a managing officer by or under the said Act in relation to acquired evacuee urban properties and acquired evacuee agricultural lands in urban areas which he may be authorised to dispose of by the Regional Settlement Commissioner, Jullundur.

[No. 3(37)/L&R/63-A.]

New Delhi, the 7th March 1964

S.O. 880.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties in the State of Uttar Pradesh specified in the schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the said property (specified in the schedule below).

SCHEDULE

Sl. No.	Particulars of property.	Name of the locality/town in which the evacuee property is situated.	Name of the Evacuee.
1	2	3	4
1	Plot No. 80, Purana Qila, Lucknow.	Lucknow	Smt. Zohra Naqvi.

[No. 1(1217)58/Comp. & Prop.]

M. J. SRIVASTAVA,

Settlement Commissioner & *Ex-Officio* Under Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 4th March 1964

S.O. 881.—In exercise of the powers conferred by Sub-Section I of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, (No. 44 of 1954), the Central Government hereby appoints Shri Shiva Sewak Sharma as Assistant Settlement Commissioner for the purpose of performing the function assigned to such officer by or under the said act with effect from the afternoon of the 14th February, 1964.

[No. 5(1)AGZ/64.]

KANWAR BAHADUR, Settlement Commissioner (A) and
Ex-Officio Dy. Secy.

(Department of Rehabilitation)

Office of the Chief Settlement Commissioner

New Delhi, the 5th March 1964

S.O. 882.—In exercise of the powers conferred by sub-section (2) of section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, N. P. Dube, Chief Settlement Commissioner, hereby delegate to the Deputy Secretary in the Rehabilitation Department of the Government of Punjab, Jullundur the powers conferred on the Chief Settlement Commissioner under sections 23, 24 and 28 of the said Act in respect of the properties referred to in the notification of the Government of India in the Ministry of Works, Housing and Rehabilitation (Department of Rehabilitation) No. 3(37)/L&R/63-A, dated the 5th March, 1964.

[No. 3(37)/L&R/63-C.]

N. P. DUBE,
Chief Settlement Commissioner.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 4th March 1964

S.O. 883.—In exercise of the powers conferred by sub-section (1) of section 83 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Employment No. GSR 975 dated the 11th August, 1960, namely:—

In the Schedule to the said notification for item 1 and the entries relating thereto, the following item and entries shall be substituted, namely:—

(1)	(2)	(3)
1. (a) All coal washeries forming part of mines.	All	
(b) All coke plants forming part of mines, which have arrangements for recovery of bye-products.	All	

[No. 1/39/62-MI/AM(10).]

R. C. SAKSENA, Under Secy.

New Delhi, the 4th March 1964

S.O. 884.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, having regard to the location of the factory in an implemented area, the Government Press, Kurnool, from the payment of the employers special contribution leviable under chapter VA of the said Act.

[No. F. 6/95/63-HI.]

S.O. 885.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the factory in sparse area, hereby exempts the factory situate in the area in the State of Madras mentioned in the schedule below, from the payment of the employers' special contribution leviable under Chapter V-A of the said Act until the **enforcement of the provisions of Chapter V** of that Act in that area.

SCHEDULE

Sl. No.	Name of the District	Name of the area	Name of the factory
1	Ramnad	Aruppukkattai	Aruppukkottai Shri Jaya Vilas Ltd.

[No. F. 6(113)/63-HI.]

S.O. 886.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1367 dated the 6th May, 1963 namely:—

In the Schedule to the said notification, in the entries against Serial No. 11, the entries "Bahadurgarh:

1. Hindustan Pottery Industries.
2. Hindustan Engg. Works.
3. Munjal Brothers.
4. Rashtriya Steel and Metal Products.
5. Sunrise Potteries.
6. Highway Engg. Corporation Ltd.
7. Quality Office Appliances (P) Ltd.
8. National Steel Industries."

occurring in columns 3 and 4 respectively, shall be omitted.

[No. F.6(79)/63-HI.]

S.O. 887.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule appended to this notification in sparse areas in the State of Uttar Pradesh, hereby exempts the said factories from the payment of the employers' special contribution payable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Serial No.	Name of the District	Name of the area	Name of the factory.
1	2	3	4
1	Meerut	Bhola	The Meerut Water Works.
2	Jhansi	Dhirkhera	The Hapure Bone Mills.
2	Jhansi	Karari	The Indian Hume Pipe Co. Ltd.
3	Mathura	Brindaban	The Shanji & Co.
		Kosikalan	The Bharatpur Industries.
4	Allahabad	Bharwari	The Baldeo Ram Saligram Ltd.
5	Varanasi	Village Jalilpur, Tehsil Chandowall.	The Shah Iron Industries.

[No. F. 6(101)/63-HI.]

S.O. 888.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, having regard to the location of the factory in an implemented area, Press and Forms, Gaya, from the payment of the employers' special contribution leviable under Chapter VA of the said Act for a period of one year upto and including the 19th January, 1965.

[No. F.6(137)/63-HI.]

S.O. 889.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories in sparse areas, hereby exempts the factories situate in the areas in the State of Mysore mentioned in the Schedule below from the payment of the employers' special contribution leviable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Sl. No.	Name of the District	Name of the area	Name of the factory
1	2	3	4
1	Bangalore	Kanakapur	Kankanahally Power Station, Mysore State Electricity Board.
		White field	M/s. Rao's Insulating Co. (P) Ltd., Berglands.
2	Coorg	Mercara	C.V.S. Brothers, School Road
3	Chitradurga	Chitradurga	Mysore State Road Transport Corporation Depot.
4	Mandya	Mandya	M/s. Mysore Metal Industries, M. C. Road.
5	Raichur	Raichur	M/s. Agricultural Produce Co-operative Marketing Society Limited.
6	South Kanara	Kavardy	Sri Shakti Tile Works, Kavardy, Coordapur.

Sl. No.	Name of the District	Name of the area	Name of the factory
7	Tumkur	Karkala Tiptur	The Sovereign Snuff and Beedi Works. St. Joseph's Match Industries.

[No. F.6(50)61-HI.]

S.O. 890.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories in sparse area in the State of Maharashtra, hereby exempts the factories situated in the areas mentioned in the schedule below, from the payment of the employers' special contribution, leviable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Sl. No.	Name of the District	Name of the area	Name of the factory
1	2	3	4
1	Bhandara	Bhandara Gondia Tumsar	M/s. Bhandari Metal Industries. 1. M/s. Union Bone Mills. 2. M/s. Vishwavijay Printing Press. M/s. Universal Ferros and Allied Chemicals Ltd.

[No. F.6(98)/63-HI.]

S.O. 891.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, having regard to the location of the factories in an implemented area, the Kerala Government transport factories namely, the Boat Building Yard at Perumanoor, Ernakulam and the Trichur Transport Garage, Trichur from the payment of the employers' special contribution leviable under Chapter VA of the said Act for the period upto and including the 14th March, 1965.

[No. F.6(8)/64-HI.]

S.O. 892.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 216, dated the 10th January, 1962, namely:—

In the Schedule to the said notification,—

- (a) against serial No. 7,
the entries "Barbil" and "Kalinga Industries Limited" occurring in columns 3 and 4 respectively shall be omitted.
- (b) against serial No. 11,
the entries "Bhubaneswar" and
"1. Sri Ram Saw Mill.
2. Bhag Singh and Bros.
3. Patnalk Industries"
occurring in columns 3 and 4 respectively shall be omitted.

[No. F.6(80)/61-HI.]

S.O. 893.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India

in the Ministry of Labour and Employment, No. S.O. 2657, dated the 14th August, 1962, namely:—

In the Schedule to the said notification, item 3, and the entries relating thereto occurring in columns 2, 3 and 4 respectively shall be omitted.

[No. F.6(31)/62-HI.]

S.O. 894.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 2560, dated the 31st August, 1963, namely:—

In the Schedule to the said notification item 4, and the entries relating thereto occurring in columns 2, 3 and 4 respectively shall be omitted.

[No. F.6/112/63-HI.]

S.O. 895.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories in sparse areas, exempts the factories situated in the areas in the State of Maharashtra mentioned in the Schedule below, from the payment of the employers' special contribution leviable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Sl. No.	Name of the District	Name of the area	Name of the factory
1	2	3	4
1	Ahmednagar	Lohegaon	M/s. Pravaranagar Agricultural and Industrial Development Co-operative Society Ltd.
2	Dhulia	Mukti-tank Sindkheda	M/s. Granulator at Mukti-tank. M/s. Brijlal Pannalal Oil Mills.
3	East Khandesh	Panchora Yawal Kajgaon	M/s. Moar Brothers Oil Mills. M/s. Sakharam Sitaram & Co. M/s. Shri Venkatesh Oil Mills.
4	Kolhapur	Shirol	M/s. Eagle Stone Crusher Works.
5	Nasik	Manmad Malegaon	M/s. Hindustan Traders Bone Mill. 1. M/s. Haji Abdul Hamid Vazir. 2. M/s. Shankarlal Ratanlal Oil Mill.
6	North Satara	Nagathane Koynanagar	M/s. Yeshwant Sahakari Oil Mills, Ltd. M/s. Patel Engineering Co. Limited.
	Poorba	Lonawala Nira	M/s. Coated Fabrics Private Ltd. M/s. Poly Chem. Ltd.
8	Ratnagiri	Ratnagiri Khed	M/s. Modern Builders Engineer and Contractors (Kankavli). M/s. Stone Crusher of Barve and Albel Engineering.
9	West Khandesh	Nandurbar	M/s. Khandesh Saw Mill.

[No. F.7/15/62-HI.]

New Delhi, the 6th March 1964

S.O. 896.—In exercise of the powers conferred by section 7B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes a National Industrial Tribunal with headquarters at Bombay and appoints Shri Salim M. Merchant, as Presiding Officer of that Tribunal.

[No. 4/59/63/LR.IV.]

New Delhi, the 7th March 1964

S.O. 897.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 135, dated the 5th January, 1962, namely:—

In the Schedule to the said notification,

against Serial No. 14, the entries "Bahadur Garh" and

- "1. M/s. Northern India Bone Mills.
2. M/s. H. R. Bhalla and Sons.
3. M/s. Mediratta Engg. Corporation.
4. M/s. Seth Sukhdeo Buksh Industries.
5. M/s. Paper and Card Wares.
6. M/s. Nangolia Flour and Oil Mills,"

occurring in columns 3 and 4 respectively shall be omitted.

[No. F. 6/73/61-HI.]

S.O. 898.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow in the industrial dispute between the employers in relation to the Hindustan Commercial Bank Limited, Kanpur and their workmen, which was received by the Central Government on the 3rd March 1964.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL), LUCKNOW

PRESENT:

Shri J. K. Tandon, Presiding Officer.

ADJ. CASE NO. 28 (CENTRAL) OF 1963.

In the matter of an industrial dispute between the concern known as M/s. Hindustan Commercial Bank Ltd., Kanpur

Vs.

Their workmen.

APPEARANCES:

For the employers:

1. Shri L. C. Bhardwaj,
Law Officer of the above Bank.
2. Shri O. N. Mehrotra,
Establishment Superintendent,
Hindustan Commercial Bank Ltd.,
Kanpur.

For the workmen:

1. Sri P. Chandra Jain,
General Secretary,
U.P. Bank Employees' Union,
Central Office, Aligarh.
2. Sri H. L. Parvana,
Assistant Secretary,
All India Bank Employees' Association,
Central Office, Delhi.
3. Sarvasri V. N. Sekhri and O. P. Nigam,
General Secretary and Joint Secretary
respectively of The All India Bank Employees'
Federation, Kanpur.

INDUSTRY: Banking.

DISTRICT: Kanpur.

Dated Lucknow, February 7, 1964

AWARD

The Central Government *vide* their Order No. 55(39)/61-LRIV, dated 8th December, 1961 made under clause (d) of sub-section (1) of Section 10 of the

Industrial Disputes Act, 1947 (Act No. XIV of 1947) sent the matter, reproduced in the Annexure hereto, for adjudication to the Industrial Tribunal at Delhi. That Tribunal thereupon invited written statements by the two sides which were filed before it in due course. Later, however, the said Government acting under sub-section (1) of Section 33B of the Act transferred the proceedings to the Industrial Tribunal at Dhanbad and ultimately from the Industrial Tribunal at Dhanbad to this Tribunal at Lucknow. The present order is confined to some of the pleas urged on behalf of the employers, the Hindustan Commercial Bank Ltd., Kanpur, attacking the validity of the reference as well as the jurisdiction also of this Tribunal to decide the same.

2. The following facts are necessary for a correct appreciation of the controversy currently for decision. The reference which, as earlier stated, is under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) was made on 8th December, 1961. On 21st March, 1960 the Central Government in the Ministry of Labour and Employment *vide* their Order No. S.O. 705, dated 21st March, 1960 and acting under sub-section (1-A) of Section 10 of the said Act referred to the National Tribunal constituted by an earlier Order No. S.O. 704 of the same date a number of matters, as specified therein, for adjudication. This National Tribunal is often known by the name of Desai Tribunal and will be referred to as such in this Award. The Hindustan Commercial Bank Ltd. and the workmen employed in the said Bank were included in the array of parties in that dispute. Amongst the matters referred for adjudication to the Desai Tribunal were the following also:—

- "2. Scales of pay; method of adjustment in the scales of pay.
- 4. House rent and other allowance, including travelling and halting allowances and leave fare concessions.
- 14. Categories of workman to whom the award of the Tribunal should be applicable.
- 17. Date of effect of the new award and option, if any, to be given to the existing employees to retain their present terms and conditions of service.
- 19. Difficulties and anomalies in the operation of the existing award.
- 22. Any other question connected with, or arising out of, the foregoing matters."

3. Some other facts are that earlier also similar and other matters between a number of Banks, on one side, and their workmen, on the other, were referred for adjudication to what is known as Shastri Tribunal. That Tribunal gave its award in April, 1953 but there was an Appeal against it to the Labour Appellate Tribunal which modified it in certain respects. While enforcing the Award of the Labour Appellate Tribunal, the Central Government too effected certain modifications in it. And ultimately some more changes were effected through an Act of Parliament known as the Industrial Disputes (Banking Companies) Decision Act, 1955 (Act No. XLI of 1955). Sub-para (b) of Para 164 of the Shastri Award awarded certain allowances over and above their basic pay to specified classes of workmen. Thus in the case of Head Clerks and Stenographers it made provision for a special allowance of Rs. 15/- in 'C' class Banks and of Rs. 20/- in 'A' and 'B' classes of Banks. Likewise, it made provision at the rate of Rs. 40/-, Rs. 45/- and Rs. 50/- respectively in the case of Supervisors etc. The grievance which gave rise to the instant case has been that the management of the above bank had failed to classify correctly the workmen named in the Annexure and who according to the workmen, having regard to the duties etc. performed by them, deserved to be designated as Supervisors and also paid the special allowance of Rs. 45/- per month.

4. Sub-section (6) of Section 10 of the Industrial Disputes Act, 1947 lays down that where any reference has been made under sub-section (1-A) to a National Tribunal, then notwithstanding anything contained in that Act, no Labour Court or Tribunal shall have jurisdiction to adjudicate upon any matter which was under adjudication before the National Tribunal. It further provides that where at the date of reference to a National Tribunal any such matter is already pending before a Labour Court or Tribunal, the proceedings in so far as it relates to such matter shall be deemed to have been quashed. It further says that it shall not be lawful for the appropriate Government to refer any such matter for adjudication to a Tribunal or Labour Court during the pendency of the proceedings in relation thereto before the National Tribunal. The management relying on the above provisions has urged that since a reference to Desai Tribunal had already been made on 8th December, 1961 and those proceedings were still pending before that Tribunal, it was incompetent on the

part of the Central Government to make the present reference. For the same reason the management considers that this Tribunal has no jurisdiction to decide the dispute, not being legally seized of it.

5. The workmen, who do not accept the above objections contend, *inter alia*, that their claim, which is the dispute sent to the Tribunal for adjudication, is restricted and is to the effect only that they are entitled to the special allowance sanctioned in the case of Supervisors by the Shastri Award. In other words, they have asked that since they fulfil the functional qualifications of supervisors they deserved to be allowed the special allowance intended for that category during the whole period Shastri Award was in force.

6. The above pleas and counter-pleas gave rise to the following preliminary issues:—

- (1) Whether the subject matter of dispute in the instant case can be said to be included in the matter referred for adjudication to the National Tribunal presided over by Justice Desai?
- (2) Is the present reference incompetent in view of clause (b) of sub-section (6) of Section 10 of the Industrial Disputes Act, 1947 in the light of the finding on the next preceding issue?
- (3) In any case, is the present reference in effect one asking the persons named in the Annexure to be paid the allowance for supervisory staff awarded in Shastri Award? Is the provision in sub-section (6) of Section 10 not attracted?

FINDINGS

Issues 1 to 3—

7. The workmen affected are 32 in number. Out of them 26 are represented through their Union, All India Bank Employees' Association and the remainder by the All India Bank Employees' Federation. In June, 1961 about it both sets of workmen through their representative Unions made separate applications to the Central Government purporting to be under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 asking the dispute regarding the special allowance to which they considered themselves entitled to be referred for adjudication. These applications were jointly on behalf of the Bank as also the Unions. Besides describing the names of the parties, the specific matter in dispute which they wanted to be referred for adjudication was also stated in them. It was thus:—

"Whether special allowance of Rs. 15/- granted by the Hindustan Commercial Bank Limited to their workmen designated as head clerks as per list appended below is adequate having regard to the nature of their duties and responsibilities and the emoluments being paid to the persons discharging similar duties and responsibilities in banks, or they are entitled for the supervisory allowance of Rs. 40/- as provided under paragraph 164(b) of the award of the All India Industrial Tribunal (Bank Disputes) constituted by the Notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated 5th January, 1952, as modified in the manner referred to in Section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (XLI of 1955) and to what relief they are entitled."

8. The record is silent as to what action was then taken on these applications, but on 8th December, 1961 the Central Government made the instant reference for adjudication. A comparison of the matter of dispute as stated in these applications and as ultimately incorporated by the Central Government in its order of 8th December, 1961 pointed out that the dispute, which ultimately was referred, was substantially same in spite of the different language employed. It shall be necessary to scrutinise it more fully, presently I shall dispose of one other contention which the management has urged in relation to these applications.

9. The contention briefly is thus. The instant reference has been made under clause (d) of sub-section (1) of Section 10 of the Act. It has not been done under sub-section (2) of the Section in accordance wherewith the joint applications were made. The reasoning now is that these applications having been made under a different provision cannot have any relevancy. They would be relevant only if the reference were in pursuance of and under sub-section (2).

10. I have heard the learned representative for the Bank but to my mind his reasoning has overlooked the important fact that sub-section (2) only

provides that where the parties to an industrial dispute jointly or severally apply for a reference of the dispute to a Tribunal etc., the concerned Government is obliged to make the reference if it is satisfied that the persons applying represented the majority of each party. A legal compulsion to make the reference has been enacted in the sub-section though the reference has still to be made under sub-section (1). The Government's power to make a reference under sub-section (1) is dependent upon the existence etc. of certain conditions. And though it has discretion in the matter the discretion has to be exercised in accordance with law. In an appropriate case, therefore, the Government will be justified in refusing to send an industrial dispute for adjudication. Where, however, the parties to an industrial dispute approach the Government jointly or separately for sending the dispute to arbitration or to a Court or Tribunal etc. the Government has legal compulsion to make the reference. But the reference, will still be under sub-section (1) of the Section as this is the provision where the reference is authorised. The management's contention that the instant reference since it does not refer to the power under sub-section (2) is independent of the request made by the parties is not tenable.

11. To revert to the consideration of the other question arising in the case, there can be no doubt that sub-section (6) has enacted a complete bar on the appropriate Government to refer a particular matter for adjudication to a Labour Court or Tribunal if that matter is already under adjudication before a National Tribunal. Not only this, a Labour Court or Tribunal will not possess the necessary jurisdiction also to adjudicate upon such matters. Clause (a) of the sub-section goes to the extent of laying down that if any matter is pending before a Labour Court or Tribunal the same shall, in so far as it relates to the matter before the National Tribunal, be deemed to have been quashed. And clause (b) which relates to making of reference in future says in emphatic terms that it shall not be lawful for the appropriate Government to refer even the matter for adjudication.

12. In order, however, that the bar enacted in sub-section (6) is attracted—the instant case will be governed by clause (b)—it must be proved that the subject matter of dispute here was included in the matters referred to Desai Tribunal for adjudication. Since the ban in the sub-section is in respect of matters which are before the National Tribunal for adjudication, any matter which is not before the National Tribunal for adjudication will, therefore, not be affected by those provisions. The appropriate Government too will not be disentitled to refer it for adjudication.

13. The question which therefore needed to be considered is whether and to what extent, if any, the subject matter for adjudication in the instant reference was or could be said to have been under adjudication before the Desai Tribunal. The matter of dispute before this Tribunal is reproduced in the Annexure. It may be said to consist of two sub-divisions, the first sub-division being where the description is whether the special allowance which was currently then given to the workmen named in the Annexure was adequate having regard to the nature of duties and responsibilities held by them and the emoluments paid to persons discharging similar duties and responsibilities in other Banks of similar status. The second sub-division is where it says that if the amount then paid to them was not adequate "what amount as provided under paragraph 164(b) of the Award of the All India Industrial Tribunal (Bank Disputes), Bombay as modified by the decision of the Labour Appellate Tribunal and by Section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 should be granted to them".

14. The Bank's contention is that the first sub-division or part, which is broad in its terms, was the controversy which had really to be adjudged by the Tribunal. The second part would not arise for determination until the broad question posed in the first part was answered in the negative. In this manner it is argued that the precise dispute for adjudication before this Tribunal is what special allowance should be paid to the 32 workmen named in the Annexure and the same deserved to be fixed having regard to the nature of duties and responsibilities held by them and the emoluments paid to persons discharging similar duties and responsibilities in other Banks of similar status. Referring to items 2, 4, 14, 17, 19 and 22 in the description of dispute referred for adjudication to the Desai Tribunal by the Central Government's Order No. S.O. 705, dated 21st March, 1960 the further contention is that it (the dispute before the instant Tribunal) is fully covered by them.

15. Though the language employed in the first part of the matter of dispute here is broad and may, when devoid of the events leading to it or read without the description incorporated in the second part, be open to that meaning. But

it is not so truly. We have noticed that the instant reference was preceded by joint motions of the two parties for reference of the claim of the 32 workmen for adjudication by a Tribunal. It will neither be fair nor possible to ignore this circumstance whose existence both parties admit. Further, both the first and the second parts of the dispute will need to be read together for judging the true intention underlying in them. The dispute arose out of the facts that the Bank was unwilling to pay the special allowance at the increased rate to the 32 workmen because in its view they were Head Clerks and not Supervisors. The workmen on the other hand claimed that in spite of their designation as Head Clerks they were performing the actual duties discharged by a Supervisor, as such were entitled to the allowance payable to the latter. It was in this context that the first part of the dispute posed the question as regards the adequacy of the special allowance. And since the claim of the workers also was that they were entitled to the higher special allowance as provided in paragraph 164(b) of Desai Award admissible to Supervisors, the second part only affirmed that aspect. That this was so is also corroborated by the suggested description of the matter of dispute proposed by the two sides in their joint application to the Central Government moved under sub-section (2) of Section 10. The following words, namely,

"the special allowance now (under line is mine) being granted to the under-mentioned employees of the Hindustan Commercial Bank Ltd.",

in the matter sent to this Tribunal further confirmed that the controversy referred for adjudication was not the broad question of the special allowance to be allowed generally to the category to which these workmen belong but actually was the limited question as to the adequacy of the amount which was being paid to them under the provisions of Shastri Award.

16. To my mind, therefore, it cannot be said that the instant dispute was included in the matter before the Desai Tribunal for adjudication. The Desai Tribunal was entrusted with the task to adjudicate the general question about pay, allowances etc. to the several categories of workmen employed in Banks. But in the instant case the claim of the workmen, briefly stated, has really been that having regard to the duties and functions discharged by them they were entitled to be designated as Supervisors for purposes of Shastri Award and be also paid the special allowance provided therefor. In other words, this is a case for appropriate fitment and of determination of entitlements under the Shastri Award. The question was neither before the Desai Tribunal nor was or could be referred to it. Under the circumstances sub-section (6) of Section 10 is not attracted. The jurisdiction also of the Tribunal is not barred. The reference as well is not invalid.

17. Before I parted with the discussion on these issues I would refer to two decisions; one by the Industrial Tribunal, Delhi in Industrial Dispute No: 597 of 1959 decided on 26th August, 1961, award published in Government of India Gazette, dated September 16, 1961 and the other by the Industrial Tribunal, Calcutta in Reference No. 11 of 1962 decided on 30th April, 1962 and published in Government of India Gazette, dated May 26, 1962. In both these cases a similar question as here arose. And in each of them the Tribunal upheld the objection by the management, namely, that the Tribunal had no jurisdiction to be seized of the case or to decide the dispute. It also was pointed out that the terms of reference in the two cases were couched also though partly only in language as here, also that these cases were with reference to paragraph 164(b) of the Shastri Award.

18. Naturally, I have carefully examined the two awards with the respect due to them and have considered the reasoning too relied upon in them. But I am unable to agree with the Bank that it can benefit by them. In the first place, these decisions were founded on the conclusion arrived at in those cases that the subject matter before those Tribunals were covered by the matter before the National Tribunal for adjudication. And secondly, the said conclusion was reached as naturally could be on the facts peculiar to the claims preferred there. Here, however, I have on the particular question held that the subject matter for adjudication before me is not included in the subject matters referred to the Desai Tribunal for adjudication. Under the circumstances these decisions cannot help the management.

19. In conclusion, therefore, I would overrule the preliminary objections by the Bank and hold that the present reference is not defeated by sub-section (6)

of Section 10 of the Industrial Disputes Act. The Tribunal has the necessary jurisdiction also to adjudicate the dispute.

ANNEXURE

(Matter of dispute referred for adjudication)

SCHEDULE

Whether the special allowance now being granted to the under-mentioned employees of the Hindustan Commercial Bank Limited, is adequate having regard to the nature of duties and responsibilities held by them and the emoluments paid to persons discharging similar duties and responsibilities in other banks of similar status and, if not, what amount of special allowance as provided under para 164(b) of the Award of the All India Industrial Tribunal (Bank Disputes), Bombay, as modified by the decision of Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955) should be granted to them?

Name	Branch in which employed
1. Shri Baldoe Raj	Agra.
2. Shri J. N. Srivastava	Barabanki.
3. Shri H. K. Gupta	Batala.
4. Shri B. K. Chand	Bhagalpur.
5. Shri H. K. Roy	Maunktola, Calcutta.
6. Shri S. C. Dass	Gaya.
7. Shri H. L. Srivastava	Gonda.
8. Shri Y. D. Tripathi	Kanpur, Main Office.
9. Shri G. D. Dixit	Aryanagar, Kanpur.
10. Shri R. N. Gupta	Latonche Road, Kanpur.
11. Shri S. R. Sainey	Kalpi Road, Kanpur.
12. Shri S. N. Soral	Kalpi Road, Kanpur.
13. Shri S. N. Khanna	Meston Road, Kanpur.
14. Shri R. N. Dave	Hazarat Ganj, Lucknow.
15. Shri J. N. Tandon	Meerut.
16. Shri J. N. Chaturvedi	Padruana.
17. Shri D. S. Dixit	Saharanpur.
18. Shri G. S. Nigam	Unnao.
19. Shri J. C. Tarun	Calcutta.
20. Shri M. Bhosakar Rao	Johari Bazar, Bombay.
21. Shri S. K. Mitra	B.B., Calcutta.
22. Shri M. C. Khanna	Delhi.
23. Shri R. B. Saxena	New Delhi.
24. Shri R. P. Sharma	Hargalpur.
25. Shri B. D. Singh	Hardoi.
26. Shri S. R. Srivastava	Partapgarh.
27. Shri B. S. Kapoor	Main Office, Kanpur.
28. Shri G. S. Mehrotra	Main Office, Kanpur.
29. Shri D. N. Magan	Jaipur.
30. Shri B. K. Handa	Meerut.
31. Shri M. L. Khanna	Amritsar.
32. Shri Laxmi Prasad Verma	Head Office, Kanpur.

Sd./- J. K. TANDON,
7-2-1964.

Presiding Officer,
Lucknow.

Industrial Tribunal (Central) Lucknow.
[No. 55(39)/61-LRIV.]

S.O. 899.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the Co-operative Assurance Company Limited and their workmen which was received by the Central Government on the 5th March, 1964.

BEFORE SHRI K. L. GOSAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, CHANDIGARH.

REFERENCE No. 5/C OF 1963.

BETWEEN

The Employers in relation to the Co-operative Assurance Company Ltd., Amritsar and their workmen.

PRESENT:

Shri Madan Mohan, President, Northern Zonal Insurance Employees Association.

Shri Jag Raj Bhalla, Director of the respondent.

AWARD

An industrial dispute having come into existence between the workmen and the management of the Co-operative Assurance Co. Ltd., Amritsar, the same was referred by the Central Government to this Tribunal under Section 7A read with clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour and Employment, New Delhi Order No. 70(4)/63-LRIV, dated 21st August, 1963. The only item of dispute as mentioned in the Government Order is as follows:—

“Whether the retrenchment of Shri Ranjit Kumar, clerk and Shri Harbhajan Singh, peon by the Management of the Co-operative Assurance Company Limited, Amritsar, was justified and if not, to what relief are they entitled?”

Usual notices were issued to the parties and in response to the same the workmen filed their detailed statement of claim and the management filed their written statement to the same. The pleadings of the parties gave rise only to one issue which is precisely the same as the item of dispute mentioned above. This issue was framed on 11th October, 1963, and the parties were called upon to lead their evidence for and against the same. After the conclusion of the evidence I heard the arguments of the representatives of the parties. My findings on the aforesaid item of reference are as follows:

From the evidence of Shri Jag Raj Bhalla, Director, Incharge of the Company in question it is clear that this Company was registered in 1906, and that they were doing life insurance business till the year 1941. Thereafter they started fire and general insurance also, and did life and general insurance business till the year 1956. In the latter year i.e., 1956, the life department was nationalised and since then the Company was doing only the fire and general insurance business. Shri Jag Raj Bhalla has stated that the profits of the Company dwindled down from over four lacs of rupees in 1955 to only sixty-four thousand rupees in the last year. He has further stated that the Government placed restrictions and they were compulsorily required to part with 20 per cent of their assurance amount to re-assuring companies in India without any reciprocal basis and this adversely effected their business. They had a staff of only four employees including one peon. On account of the reduced work they retrenched Shri Ranjit Kumar, clerk and Shri Harbhajan Singh, peon and in this they followed the principle of ‘last come—first go’. The workmen cross-examined this witness at length but nothing was brought out from the cross examination which would in any way effect the probative value of the evidence of this witness. The witness was first examined on 31st October, 1963, but the workmen wanted time to prepare for the cross examination of the witness and I adjourned the case at their instance because in the examination in chief the witness had adverted to several documents which the workmen had not the proper opportunity to inspect at the spur of the moment. The cross examination had to be deferred twice for one reason or the other and it was finally made on 21st February, 1964. It appears that in between these two dates the Company decided to totally stop issuing any new policies in any department. In the cross examination the witness stated as under:—

“I am the Director incharge of the Company. A couple of years ago we decided to get out of the insurance business by and by and now we have totally stopped issuing new policies in any department.”

This part of his statement is fully corroborated by the circumstances of the case. In the Directors' Report for the year 1962, Ext. R-10 it is stated as under:—

“Due to heavy loss in Marine section of Indian Insurance Companies Association Pool's business for 3 successive years, the company has resigned its membership with effect from 1st January, 1963, and the Directors have curtailed the other insurance business also as it is no longer worth-while and also the threat of nationalizing of General Insurance business is there.”

The Life Insurance Corporation of India has not so far offered compensation for nationalizing our life department business, but instead has filed two suits before the LIC Tribunal, Bombay demanding two sums of Rs. 124,674.37 and Rs. 149,459.53 on account of:—

- (a) income-tax alleged to have been excess charged to life department for the years 1952 to 1956; and
- (b) for income-tax refunds sanctioned by I.T.O. and the same are being defended.

Directors consider the working result for the year as unsatisfactory and they are considering whether it would be advisable to work as an investment company and totally discontinue insurance business.”

The workmen have not been able to rebut the evidence of Shri Jag Raj Bhalla in any way. The only evidence led on behalf of the workmen consists of the statement of Shri Ranjit Kumar workman concerned and the only thing that he has been able to state on the matter of total closure of the insurance business of the Company is as under:—

“I have some information that they must be doing some business these days also but I do not know anything personally.”

After giving my careful consideration to the entire evidence led by both the parties I am convinced that it is fully established on the record that the retrenchment of the workmen in question was made because of the reduction in business of the Company which by now has totally stopped its business. It is not denied that there were only four workmen with the Company and Shri Ranjit Kumar and Shri Harbhajan Singh were retrenched on the principle of ‘last come—first go’. The other two workmen are still working in the Company because some of the old policies are still in force and two clerks are needed by the Company to carry on the business in relation to the said policies. I have no doubt that the reduction in business of the Company was due to circumstances over which they had no control and that the same circumstances have now compelled them to close the business. Shri Jag Raj Bhalla has stated in his evidence that 46 similar companies have either stopped business altogether or have reduced their staff considerably. He has not been cross examined with regard to this part of his statement, and I have no reason to disbelieve the same. There is no evidence on the record to show that the retrenchment of the two employees in question was made mala fide or by way of victimisation. Shri Ranjit Kumar has stated that their retrenchment was made because of their trade Union activities but this statement is not corroborated by any evidence either documentary or oral. I have no reason at all to disbelieve Shri Jag Raj Bhalla who from his demeanour in the witness box struck me to be a truthful witness and whose evidence has neither been shaken in cross examination nor been rebutted by any evidence to the contrary. For the reasons given above I have no hesitation in holding that the retrenchment of Shri Ranjit Kumar and Shri Harbhajan Singh was justified and they are not entitled to any relief. The demand of the workmen is, therefore, dismissed. There will, however, be no order as to costs.

The 28th February 1964.

K. L. GOSAIN,

Presiding Officer.

Industrial Tribunal, Chandigarh.

[No. 70(4)/63-LRIV.]

S.O. 900.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the Calcutta Licensed Measurers, Calcutta and their workmen which was received by the Central Government on the 6th March 1964.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 19 OF 1963

PARTIES:

Employers in relation to the Calcutta Licensed Measurers, Calcutta.

AND

Their workmen.

PRESENT:

Shri L. P. Dave—Presiding Officer.

APPEARANCES:

On behalf of employers.—Shri R. Goswami, Officer, Bengal Chamber of Commerce & Industry.

On behalf of workmen.—1. Shri Pranab Kumar Ganguly, Jt Secretary, National Union of Dock Labour.

2. Shri Deukumar Ganguly, Jt. Secretary, Calcutta Port and Dock Workers' Union.

STATE: West Bengal.

INDUSTRY: Port

AWARD

The Government of India, Ministry of Labour and Employment, by their order No. 28/93/63-LRIV dated 30th November 1963, have referred the industrial dispute existing between the employers in relation to the Calcutta Licensed Measurers, Calcutta, and their workmen in respect of the question whether the demand of the workmen regarding the introduction of the system of rotational employment amongst the workmen in all three shifts is reasonable and if so, what should be the manner in which rotation is to be effected for adjudication to this Tribunal.

2. On notices being issued, two Unions (viz., National Union of Dock Labour and the Calcutta Port and Dock Workers' Union) filed their written statements on behalf of the workmen. It appears that these Unions are functioning among the workmen of the present employers and represent different workmen. Each has therefore filed a separate written statement, taking contradictory stands.

3. The National Union of Dock Labour by their written statement urge that rotational system of employment should be introduced as it is reasonable to do so. They say that the night shift workers are now getting a night allowance of 50 nP. for night shift and the average amount of an worker approximates to Rs. 6/- per month. According to the present arrangements, the porters who are in the day shift are denied the right of earning this amount which is earned by the other porters for doing entirely identical job. They also mention that the day porters have to put in more hours of work than the night shift porters. Lastly, they urge that the present system is inconsistent and discriminatory and should be abolished and rotational employment system should be introduced.

4. By their written statement, the Calcutta port and Dock Workers Union contended that the present system of booking should be kept unaltered. They urge that when a person was appointed as a day shift porter he accepted the job with the full knowledge that he would have to work permanently by day and would never be required to do night work and that similarly when a person was appointed as a night porter he accepted his job with the full knowledge that he has to work permanently at night; to introduce rotational system would therefore amount to change of service conditions. They further contended that the workers in the second roster are some times required to work in the afternoon or evening shift and some times in the night shift but they do not know their shift before hand and they have, therefore, to report for duty at 2 p.m. to know as to in which shift they are out for work. If they are booked for the night shift they have to go back to their house and return at night and thereby lose some time for which they are not paid any remuneration. They therefore urge that the introduction

of rotational employment would be unreasonable and would be contrary to the existing terms and conditions of service.

5. The employers by their written statement contended that the three shifts were not water-tight compartments and that in exigency of work persons working in one shift may be required to work in another shift and that this has been frequently done in the past. They therefore said that they suggested the introduction of rotational system of employment so that all workers would have an equal chance to earn the night shift allowance but that their suggestion was accepted by one Union and refused by the other. They say that they are agreeable to any suggestion or compromise which would be agreed to by both Unions.

6. The main work of the employers is to weight major cargo which is being shipped from Calcutta port and on the basis of their recommendations freights are charged and realised in respect of different consignments. It appears that formerly this work was being done by the Licensed Measurers Department of the Bengal Chamber of Commerce and Industry and the measuring Department of the Indian Chamber of Commerce. It is an admitted fact that the present firm was formed in 1962 and it took over the business of both the above departments from 1st April 1962. It also took over the workmen working in these two departments with continuity of service and on the same terms and conditions which were applicable to them on the date of transfer.

7. The workers working in the firm were formerly known as dock peon but they are now designated as measuring porters. It is not in dispute that the work is done in three shifts. The first shift works from 6-30 a.m. to 3-30 p.m. (9 hours) and is known as the day shift; the second shift works from 3-30 p.m. to 10-30 p.m. (7 hours) and is known as afternoon shift or evening shift; the third shift works from 10-30 p.m. to 6-30 a.m. (8 hours) and is known as the night shift. According to the present arrangements, however, two rosters are kept, one for the workers working in the first or day shift and the other for workers working in the other two shifts. I am told that so far as workmen in the second roster are concerned, some of them are asked to work in the afternoon or in the evening shift and the rest in the night shift; I was also told that the work is heaviest in the afternoon shift and usually the largest number of workers are required in that shift. The employers however cannot know beforehand as to how many workers would be required in the afternoon shift and how many in the night shift and all workers have therefore to enquire between 2 and 3 p.m. as to whether they are booked for the afternoon shift or the night shift and attend to the duty according to their booking. I am also told that at present there are about 135 workmen on the first roster working in the day shift and about 175 workers in the second roster working in the afternoon and night shift together. According to the present arrangement, people who are appointed in respect of first roster continue to work by day all through their life while those who are appointed in the second roster continue to work in the afternoon and night shifts all through their life, but sometimes they have to work in the afternoon or evening shift and sometimes in the night shift. Actually, they are rotated between these two shifts. There is however no rotation between the workers in the first roster and those in the second roster.

8. Originally all the workers were getting same scales of pay. Recently, however, there has been an agreement between the parties and it has now been agreed that workers who are required to work in the night shift are to be paid a night shift allowance of .50 nP. for each night that they are required to work. I am told that looking to the distribution of work and the number of workers required to work in the night shift, a worker in the second roster earns on an average about Rs. 6/- by way of night shift allowance. The day shift workers do not get this allowance.

9. The present dispute is regarding the introduction of rotational employment among the workers. The employers have suggested that the workers should be made to rotate so that everyone get the same advantages and disadvantages. This proposal was agreeable to one of the unions while it was opposed by the other.

10. There can be no doubt that it is equitable and fair that all workers should have the same terms. All should have the same advantages and disadvantages. It would not be proper that one set of workers should get a particular advantage all through their life nor would it be equitable or fair that another set of workmen should suffer disadvantage all through their life. It may happen that a workman is appointed earlier in a particular shift would have to continue in that shift with all the disadvantages while another workman who may be appointed later in another shift may get all the advantages. This would not be desirable and

in the interest of equity and in fairness to all, there should be same advantages and disadvantages to all.

11. Work in a day shift has disadvantages as well as advantages. A person working in the day shift is able to enjoy a normal and natural life in that he is able to sleep by night regularly. On the other hand, he has some disadvantages in that he is busy with his work during day and would not be able to look after his other work. A night shift worker on the other hand has the disadvantage of having to work at night all through his life and thus leading an unnatural life in that he would not be able to sleep at night and would have to sleep by day. On the other hand, he can do his other work by day and would have some advantages in that respect over a worker working in the day shift.

12. Apart from the above advantages and disadvantages, the workers in this firm have now another problem and it is that the night shift workers are now getting a night shift allowance of 50 nP. per night which allowance, I am told, averages about Rs. 6/- per month per worker. A day shift worker does not get this advantage and naturally he resents it, more so, when he has to work 9 hours a day against 8 hours a day for the night shift worker.

13. It may be noted that the system of rotational work is now a recognised practice in almost all industries and in almost all places, in Railways, in Posts & Telegraphs Department, in Cotton Textile Mills, in Factories etc. The system of rotational work is now a common feature and there is no reason why this equitable principle should not be applied to the workers in this firm.

14. This demand of rotational booking has been opposed by the Calcutta Port and Dock Workers' Union mainly on the ground that it would amount to the change of service conditions. They said that workers when they were appointed were appointed either as day measuring porters or as night measuring porters. This allegation is challenged. It is true that the terminology of day shift workers and night shift workers is in existence for describing the workers; but it does not necessarily mean that when a person is appointed he is appointed as a night shift worker or a day shift worker. The Calcutta Port and Dock Workers' Union have failed to produce by evidence showing that a person is appointed as a day worker or as a night worker. They have produced a form showing daily working strength of the workers. But that only shows as to how many workers are worker or as a night worker. They have produced a form showing daily working as day peons and how many as night peons on a particular day. It does not mean that persons at the time of appointment are appointed as day workers or as night workers. On the other hand, the National Union of Dock Labour has produced two letters in respect of two measuring porters, one working in the day shift and the other in the night shift and in each case, the person is referred to as merely measuring porter. In other words, I do not believe that a person at the time of appointment is being appointed only as a day worker or only as a night worker and the question of change of conditions of service does not arise.

15. Again, as I mentioned above, so far as second and third shifts are concerned, there is a common roster and people working in these shifts could not have been appointed only to a particular shift. It is nobody's case that appointments were made rosterwise. This also shows that there must not have been any appointment shiftwise also.

16. Further, I am of opinion that even if a worker were appointed as day worker or as night worker, it would be proper to change the system of work by rotating the workers, even though it may involve to that extent a change in service conditions. The Industrial Tribunal is not strictly bound by the terms of appointment and has a right to change them if it feels it necessary to do so in the interest of industrial workers and industrial peace. In view of the above considerations, I think that it is equitable that all workers should have the same advantages and disadvantages as is being done in other industries.

17. In this connection, I may point out that there is already a sort of rotational system for workers in the second roster. They rotate to the second and third shifts. The employers as well as the workers have agreed to this because it is equitable to do so and on the same principle, I think that there should be a rotation for workers working in the first shift also.

18. It was urged that the night workers were opposed to the introduction of rotational system of distribution of work and that they represented a majority of workers. Looking to the numerical strength of the workers working in the first roster and the second roster, it is quite likely that the majority may be

against the introduction of the system but such a thing should not be decided only by majority. That way majority may impose all sorts of disadvantages on a minority.

19. It appears that the Calcutta Port & Dock Workers' Union had urged at the time of conciliation proceedings that the earnings of the workmen might be affected if this system was introduced. I fail to see as to how the earnings would suffer as a result of this system except that instead of only workers now working in the second roster alone being able to earn this allowance, workers now working in the first roster will also be able to earn it. To that extent, earnings of workers now in second roster will be affected; but workers now in first roster will get corresponding advantage. In other words, the introduction of the rotational system would not affect the total earnings of the workers as a whole, though it might affect the working of a particular worker in a particular month in which month some other workers would get a corresponding advantage. But by rotation every worker will get that advantage in different months.

20. It then appears to have been urged at one stage that the present system of work of casual measuring porters might be affected as a result of introduction of this system. Here also I do not understand how the new system would affect this; but in any case, the management have stated that they would maintain the same number of workers in the two rosters. They have also agreed that they would not change the present system of booking in the second and third shifts. I therefore think that the introduction of the new system will in no way adversely affect the workers.

21. In their letter to the Regional Labour Commissioner, the employers had explained as to how they would work this system. They stated that they would rotate the two groups once a month. The first group is to consist of the present day shift workers and the second is to consist of the present second and third shift workers. As the total number of workers in the second and third shifts together is larger than in the first shift, when rotating some of them will remain in these two shifts consecutively for two months but they will be rotated to the first shift. This cannot be helped in view of the fact that the number of workers required in the different shifts is not the same. There is no female worker and the question therefore of some workers being not able to work at night does not arise.

22. I would therefore direct:—

- (i) that the employers shall rotate the workers once in a month beginning on the first of every calendar month;
- (ii) the number of workers in the first shift namely the day shift and the number of workers in the second and third shifts together will be maintained as at present and will not be reduced;
- (iii) on the 1st of every month all workers who are working in the first shift will be transferred to the second roster of second and third shifts together and an equal number from that roster will be brought to the first shift. In doing so, care should be taken to see firstly, that no worker continues in the second roster for more than two consecutive months and also that the rotation is equitable as far as possible;
- (iv) so far as the system of booking of the workers in the second roster between second and the third shifts is concerned, it will be done on the same basis as now, care being taken to see that the distribution is equitable as far as possible.
- (v) the system of employing casual workers will continue as at present.

23. The above would not entitle the employers to introduce any change in the working conditions of the workers excepting to the extent of rotating them every month. Of course, the night shift allowance would be paid only to those workers who actually work during the night shift. The first rotation should be made with effect from 1st May 1964. Parties will bear their own costs.

I pass my award accordingly

Dated,

The 5th March, 1964.

(Sd.) L. P. DAVE,
Presiding Officer.
Industrial Tribunal, Calcutta.
[No. 28/93/63/LR. IV.]

New Delhi, the 9th March 1964

S.O. 901.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 581, dated the 20th February, 1962, namely:—

In the Schedule to the said notification,
against serial No. 2,

the entries, "Somanur", occurring in column 3 and

- "1. Sri Lakshmi Rice Mills and Match Factory, Somanur.
2. Arokia Rice Mills, Mat Ginning and Weaving Factory, Marianaliur.
3. Arokia Knitting Co., Marianallur.
4. Lourdasamy Rice Mill, Somanur".

occurring in column 4 respectively shall be omitted.

[No. F. 6(6)/62-HI.]

ORDERS

New Delhi, the 6th March 1964

S.O. 902.—Whereas the Central Government is of opinion that an industrial dispute exists between the Synthetic Drugs Project, Hyderabad managed by the Indian Drugs and Pharmaceutical Ltd., New Delhi and their workmen in respect of the matters specified in the Schedule hereto annexed and that the dispute is of such a nature that industrial establishments situated in more than one State are likely to be interested in, or affected by, such dispute;

And whereas, the Central Government is of opinion that the dispute should be adjudicated by a National Tribunal;

Now, therefore, in exercise of the powers conferred by sub-section (IA) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute to the National Tribunal constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 898 dated the 6th March 1964 for adjudication.

SCHEDULE

Whether the demand of Class IV employees of the Synthetic Drugs Project, Hyderabad for grant of Central Government pay scales is justified? If not to what relief are the employees entitled?

[No. 4/59/63/LR.IV.]

S.O. 903.—Whereas the employers in relation to the Bombay Port Trust, Bombay and the Bombay Stevedores and Dock Labourers' Union have jointly applied to the Central Government for reference of an industrial dispute between them to a Tribunal in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed;

And, whereas, the Central Government is satisfied that the said Bombay Stevedores and Dock Labourers' Union represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

Whereas an industrial dispute exists between the Bombay Port Trust and its workmen represented by the Bombay Stevedores and Dock Labourers' Union and it is expedient that the dispute specified in the enclosed statement should be referred for adjudication by a Tribunal an application is hereby made under section 10(2) of the Industrial Disputes Act, 1947, that the said dispute should be referred to a Tribunal.

A statement giving the particulars required under rule 3 of the Industrial Disputes (Central) Rules, 1957, is attached.

Dated the 12th February, 1964.

Signature of

(Sd.)
Principal Officer of the Corporation,
Secretary, Bombay Port Trust.

Signature of the

(Sd.) H. N. TRIVEDI,
President of the Trade Union.

(Sd.)
General Secretary of the Trade Union.
Bombay Stevedores and Dock Labourers' Union.

STATEMENT REQUIRED UNDER RULE 3 OF THE INDUSTRIAL DISPUTES (CENTRAL) RULES, 1967, TO ACCOMPANY THE FORM OF APPLICATION PRESCRIBED UNDER SUB-SECTION (2) OF SECTION 10 OF THE INDUSTRIAL DISPUTES ACT, 1947:—

(a) Parties to the dispute including the name and address of the establishment or undertaking.

- (1) The Trustees of the Port of Bombay Port Trust Administrative Officers, Ballard Road, Bombay-1.
- (2) The Bombay Stevedores and Dock Labourers' Union, Mazdoor Karyalaya, Congress House, Bombay-4.

(b) Specific matters in dispute.

- "(1) What should be the proper position of Shri C. R. Deorukhkar on the Seniority list of Fitters of the Oil Pipe Line Section, Alexandra Dock, from which promotion to the post of chargeman is to be made; and
- "(2) In the event of it being found that any change is required to be made in the present seniority of Shri Deorukhkar as fixed by the Chief Engineer in 1960, should such change be effected with retrospective effect and if so from what date."

(c) Total number of workmen employed in the undertaking affected.

About 25,000

(d) Estimated number of workmen affected or likely to be affected by the dispute.

About 79

(e) Efforts made by the parties themselves to adjust the dispute.

The parties have agreed in a Memorandum of Settlement signed before the Regional Labour Commissioner to refer the matter to adjudication by way of a joint application under Section 10(2) of the Industrial Disputes Act.

(Sd.)

Principal Officer of the Corporation,
Secretary, Bombay Port Trust.

(Sd.) H. N. TRIVEDI,

President of the Trade Union.

(Sd.)

General Secretary of the Trade Union.
Bombay Stevedores and Dock Labourers' Union.

[No. 28/14/64/LRIV.]

O. P. TALWAR, Under Secy.

New Delhi, the 4th March 1964

S.O. 904.—In exercise of the powers conferred by sub-section (1) of section 10 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948) and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2975, dated the 8th October, 1963 the Central Government hereby appoints the following officers to be Inspectors for the purposes of the Coal Mines Provident Fund Scheme, Andhra Pradesh Coal Mines Provident Scheme, Rajasthan Coal Mines Provident Fund Scheme and, Coal Mines Bonus Scheme, Andhra Pradesh Coal Mines Bonus Scheme, Rajasthan Coal Mines Bonus Scheme and Assam Coal Mines Bonus Scheme, and directs that they shall, in relation to coal mines, exercise the powers and perform the functions of Inspectors under the said Act in the States of West Bengal, Bihar, Madhya Pradesh, Orissa, Maharashtra, Andhra Pradesh, Rajasthan and Assam, namely:—

- (1) Shri P. D. Gaiha, Coal Mines Provident Fund Commissioner.
- (2) Shri S. D. Prasad.
- (3) Shri Ravlansh Kumar.
- (4) Shri D. C. Gupta.
- (5) Shri S. A. Moiz.
- (6) Shri B. K. Sinha.
- (7) Shri R. K. Ram.

} Assistant Commissioners, Coal
Mines Provident Fund.

- (8) Shri O. P. Sharma.
- (9) Shri A. B. Prasad.
- (10) Shri S. P. Sharma.
- (11) Shri N. C. Bhattacharjee
- (12) Shri L. P. Sinha.
- (13) Shri Laxmi Chandar.
- (14) Shri B. R. Uppal.
- (15) Shri P. N. Kacker.
- (16) Shri K. M. Burman.
- (17) Shri P. K. Bhattacharjee.
- (18) Shri Sant Kumar Saxena.
- (19) Shri Om Parkash Agrawal.
- (20) Shri Manoranjan Kumar Sinha.
- (21) Shri R. K. Rajbanshi.

Coal Mines Provident Fund
Inspectors.

[No. 2(350)/63-P.F.I.]

New Delhi, the 7th March 1964

S.O. 905.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Sarvaswari R. S. Kathavate, B. J. Tulsiani and A. V. Phanse to be Inspectors for the whole of the State of Maharashtra for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government, or in relation to any establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 20(65)64-PF-I.]

S.O. 906.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K. C. Shah to be an Inspector for the whole of the State of Gujarat for purposes of the said Act or of any Scheme framed thereunder, in relation to an establishment belonging to, or under the control of the Central Government, or in relation to any establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 20(62)64-PF-I.]

S.O. 907.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri S. S. Arora to be an Inspector for the whole of the State of Punjab and the Union Territory of Himachal Pradesh for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government, or in relation to any establishment connected with a railway company, a mine or an oil-field or a controlled industry.

[No. 20(64)64-PF-I.]

SHAH AZIZ AHMAD, Dy. Secy.

ORDER

New Delhi, the 6th March 1964

S.O. 908.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to Pure Kajora Colliery, Post Office Kajoram, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Pure Kajora Colliery was justified in stopping Shri Ramchij Gore, loader, from work from the 8th August, 1963 to the 23rd August, 1963, and if not to what relief is he entitled?

[No. 6/27/63-LRII.]

A. L. HANDA, Under Secy.